

RULES AND REGULATIONS

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

On April 30, 1971 (36 F.R. 8186), pursuant to section 109 of the Clean Air Act, as amended, the Administrator promulgated national ambient air quality standards for sulfur oxides, particulate matter, carbon monoxide, photochemical oxidants, hydrocarbons, and nitrogen dioxide. Within 9 months thereafter, each State was required by section 110 of the Act to adopt and submit to the Administrator a plan which provides for the implementation, maintenance, and enforcement of national ambient air quality standards within each air quality control region in the State. An additional period of no longer than 18 months may be allowed for adoption and submittal of that portion of a plan relating to implementation of secondary ambient air quality standards. State plans must provide for attainment of national primary ambient air quality standards within 3 years after the date of the Administrator's approval of such plans, except that a 2-year extension of this deadline may be granted by the Administrator. State plans must provide for attainment of national secondary ambient air quality standards within a reasonable time. Within 4 months from the date on which State plans were required to be submitted, the Administrator must approve or disapprove such plans or portions thereof.

On August 14, 1971 (36 F.R. 15486), the Administrator promulgated regulations (40 CFR Part 51) (formerly 42 CFR Part 420, but transferred to Chapter I of Title 40 by publication in the *FEDERAL REGISTER*, page 22369 et seq., November 25, 1971) setting forth requirements for preparation, adoption, and submittal of State implementation plans. These regulations were amended October 23, 1971 (36 F.R. 20513), and December 30, 1971 (36 F.R. 25233), to make certain additions and corrections. The Administrator's regulations (40 CFR Part 51) provided generally that State plans must set forth a control strategy for attainment and maintenance of the national standards; legally enforceable regulations and compliance schedules for implementation of the control strategy; a contingency plan for preventing the occurrence of air pollution levels which would cause significant harm to the health of persons; source surveillance procedures; procedures to assure that construction or modification of stationary sources will not interfere with attainment or maintenance of the national standards; provisions for air quality surveillance; a description of the resources needed to carry out the State plan; and

provisions for intergovernmental cooperation. Some of the requirements vary by air quality control region in accordance with a classification scheme set forth in 40 CFR 51.3. Each State plan must also show that the State has the legal authority necessary to carry out the plan, as specified by 40 CFR 51.11. States were required to conduct one or more public hearings prior to adoption of their implementation plans.

All 50 States, plus the District of Columbia, Puerto Rico, Virgin Islands, Guam, and American Samoa have submitted implementation plans. The Administrator's approvals and disapprovals are set forth below. A more detailed description of disapproved portions, together with an explanation of the basis of disapproval, will be provided to the States; copies of these Evaluation Reports will be available for public inspection at the Environmental Protection Agency, 401 M Street SW, Washington, D.C., and in the Agency's Regional Offices.

Where the Administrator disapproves a State plan or portion thereof, or where a State fails to submit an implementation plan or portion thereof, the Administrator is required, under section 110(c) of the Act, to propose and subsequently promulgate regulations setting forth a substitute implementation plan or portion thereof. Where regulatory portions of a State plan, including control strategies and related rules and regulations, are disapproved or were not submitted, regulations setting forth substitute portions will be proposed and promulgated. When disapproved portions are of a nonregulatory nature, e.g., air quality surveillance, resources, intergovernmental cooperation, and therefore are not susceptible to correction through promulgation of regulations by the Administrator, detailed comments will be included in the evaluation report; in such cases, the Environmental Protection Agency will work with the States to correct the deficiencies.

To the extent possible, the Administrator's evaluation of State plans reflects the latest information submitted by the States. In the interest of giving States every opportunity to bring their implementation plans into full compliance with the Act and 40 CFR Part 51, the Environmental Protection Agency has notified States that modifications submitted after the statutory deadline for submittal of State plans would be accepted and considered: *Provided*, That such modifications were made and submitted in accordance with the requirements of 40 CFR Part 51. Accordingly, many States have been, and still are, making and submitting modifications of their implementation plans. Where such modifications affect the Administrator's approval or disapproval of a State plan or portion thereof, but are not reflected herein, appropriate changes to this part will be published as soon as the Administrator's evaluation of such modifications is completed.

The Act directs the Administrator to require a State to revise its implementation plan whenever he finds that it is

substantially inadequate for attainment and maintenance of a national standard. In accordance with the statutory mandate, the Environmental Protection Agency will make a continuing evaluation of the State plans and will, as necessary, call upon the States to make revisions.

EVALUATION OF LEGAL AUTHORITY

States were required to have the legal authority specified in the Administrator's regulations. With one exception, States were required to have the specified legal authority available to them at the time they submitted their implementation plans. The one exception is authority to carry out land-use and transportation control measures; where a State's control strategy includes such measures, the State plan must set forth a timetable for obtaining the necessary legal authority. Where it was determined that a State's air pollution control statute does not explicitly provide all of the required legal authority, the State's attorney general was consulted for an opinion as to whether the necessary authority is conferred by a general grant of powers in the air pollution control statute or provided in other statutes. Where a State plan indicated that one or more local agencies will be responsible for carrying out any portion of the implementation plan, a similar assessment was made of the legal authority available to such local agencies. A complete record of the Environmental Protection Agency's assessment of legal authority is maintained in the Office of the Associate General Counsel, Air Quality and Radiation Division, Rockville, Md. 20852.

DELEGATION OF LEGAL AUTHORITY

The legal authority which each State was required to have carry out its implementation plan is specified by 40 CFR 51.11. Subparagraphs (5) and (6) of § 51.11(a) require each State to have the authority to obtain information to determine compliance with applicable laws and regulations; require recordkeeping; make inspections; conduct tests; require sources to install and maintain monitoring equipment; require periodic reporting; and release emission data to the public. The Administrator has such authority under section 114 of the Act and can delegate it to States. Where a State lacks the authority required by 40 CFR 51.11(a) (5) or (6), that portion of its implementation plan is disapproved herein; however, if the State has requested delegation of the Administrator's authority, and if the State's source surveillance procedures are approvable, the needed authority is delegated herein. Where a State lacks the authority required by 40 CFR 51.11(a) (5) or (6) but has not requested delegation of authority, the Administrator cannot approve source surveillance procedures even though the procedures may be technically adequate. The State can correct this deficiency by requesting a delegation of authority; such requests may be made at any time and should be addressed to the appropriate Regional Administrator.

ATTAINMENT OF PRIMARY STANDARDS

The Act requires attainment of primary standards as expeditiously as practicable, but not later than 3 years from the date of the Administrator's approval of a State plan except where an extension is granted by the Administrator; it requires attainment of secondary standards within a reasonable time. Except where extensions have been requested, State plans generally provide for attainment of the primary standards in 3 years. Whether more expeditious attainment of the primary standards is practicable is a question that will be subject to continuing examination in connection with the Administrator's review of the compliance schedules and progress reports to be submitted by the States and as part of the Administrator's continuing surveillance of State activities. It is already clear, however, that the aggregate emission control requirements of the 55 State plans will create such a great demand for clean fuels, emission control equipment, and other items that attainment of the primary standards in many urban areas in significantly less time than 3 years generally will not be feasible.

ATTAINMENT DATES

Each State plan must specify the projected dates of attainment of primary and secondary standards. Where a State plan sets forth a control strategy and regulations adequate for attainment of the national standards within the time periods prescribed by the Act but fails to specify an attainment date, the Administrator will promulgate attainment dates meeting the requirements of the Act.

MAINTENANCE OF STANDARDS

Where existing air pollution levels exceed the national standards, State plans were expected to provide for the degree of emission reduction necessary for attainment and maintenance of the national standards, including the degree of emission reduction necessary to offset the probable impact of projected growth of population, industrial activity, motor vehicle traffic, or other factors. There is a great deal of uncertainty involved in projecting growth and predicting its impact on air quality. Growth projections extending more than 2 or 3 years into the future are necessarily generalized and inevitably are based on a variety of assumptions, many of them which are, at best, tenuous. Even where growth policies have been adopted by State or local governments, they normally provide only general guidelines. Techniques for translating generalized projections of population and industrial growth into predictions of future air quality do not exist. Accordingly, States were limited in the extent to which they could develop control strategies adequate not only for attainment, but also for maintenance, of the national standards. Since the Environmental Protection Agency's capability of planning for continued maintenance of the national standards is subject to the same limitations, and since State and local governments clearly should not lightly be deprived of the opportunity to plan and control growth in a manner best

s suited to the needs and preferences of individual communities and their inhabitants, with due consideration of environmental impacts, the Administrator, at this time, is not proposing substitute control strategies based on considerations related solely to maintenance of national standards. States are required, however, to prevent construction, modification, or operation of any stationary source at any location where its emissions will prevent the attainment or maintenance of a national standard; the Administrator will promulgate appropriate regulations wherever State plans are judged inadequate in this regard. Thus, all State plans will include this mechanism for minimizing the effects of growth on air quality. New source performance standards promulgated by the Administrator under section 111 of the Act will also serve to minimize the impact of growth. Furthermore, the Act authorizes the Administrator to require revision of a State plan whenever he finds that it is substantially inadequate to attain or maintain a national standard. It is the Administrator's intention to make a continuing examination of the adequacy of State plans, and, where necessary, to call for revisions. States should be aware that failure to provide for maintenance of the national standards could necessitate restraints on population and industrial growth and/or further restrictions on emissions from existing sources of air pollution.

EVALUATION OF CONTROL STRATEGIES

A "control strategy" is a combination of measures designed to achieve the aggregate reduction of emissions necessary for the purposes of attainment and maintenance of a national standard. The Administrator's regulations (40 CFR 51.13 and 51.14) set forth procedures, i.e., proportional or diffusion modeling, to be employed by the States in demonstrating that their control strategies will be adequate for these purposes. Evaluation of the control strategies generally included assessment of the accuracy of the data relied upon by a State in demonstrating the adequacy of control strategies, the validity of any assumptions made by the State, and the accuracy of the calculations employed in the modeling exercises. In addition, a determination was made as to whether the control strategy would be sufficiently comprehensive.

SULFUR OXIDES AND PARTICULATE MATTER

The national standards for sulfur oxides and particulate matter include both short-term standards, e.g., maximum 24-hour concentrations not to be exceeded more than once per year, and long-term standards, i.e., annual average concentrations. State plans were required to set forth control strategies adequate for attainment and maintenance of both the short-term and long-term standards, with the exception of the 24-hour secondary standard for sulfur oxides and the annual average secondary standard for particulate matter, both of which are guidelines. Where State plans did not explicitly demonstrate that a

control strategy is adequate for attainment and maintenance of short-term, as well as long-term standards, the Administrator has made judgments based on available data regard peak-to-mean ratios; point-source control measures, for example, are likely to reduce the frequency and intensity of peak concentrations, thus altering peak-to-mean ratios and increasing the likelihood that a control strategy adequate for attainment of an annual average standard will also be adequate for attainment of short-term standards.

FUEL AVAILABILITY

The State implementation plans to control SO_x generally have been responsive to the mandates of the Clean Air Act. The plans provide for meeting by 1975 primary air quality standards which are designed to protect the public health. In most cases, the States determined 1975 to be the "reasonable time" allowed by the Act to meet the secondary air quality standards for SO_x which are designed to protect the public welfare. Fuel combustion regulations were designed to achieve both the primary and secondary standards by the 1975 date. In most States these emission regulations were made to apply statewide, without regard to the differing air quality in regions within the State.

It is clear that achieving these rigorous State standards in the time prescribed would significantly enhance air quality in many areas of the Nation, as contemplated by the Clean Air Act. However, in addition to reviewing the effectiveness of each State implementation plan, this Agency and the Federal Government have an obligation to assess the impact of the various plans in the aggregate. From this standpoint, there is strong evidence that the complete implementation of the plans as submitted may not be attainable in the time prescribed.

Because of physical limitations on our ability to clean the emissions of high sulfur fuels on a large scale in the time permitted by the statute, achievement of the particulars of the State plans would require the availability of large additional supplies of "clean" fuels—natural gas and low sulfur coal and oil. Since fuel desulfurization facilities are unlikely to be built on the scale which would be required to fully implement all State plans by 1975, it appears that all State plans can be completely implemented by 1975 only with a major short term shift to naturally clean fuels. Unfortunately, these naturally clean fuels are not likely to be available in quantities necessary to meet the projected demand.

Unfortunately, our long-overdue concern for air quality comes at a time when the abundance of cleaner energy fuels in the United States is rapidly disappearing and energy experts are becoming worried about our ability to meet our energy fuel needs even independent of environmental considerations. Given the limits on the supply of naturally clean fuels in the short run, the well publicized shortage of natural gas in this country, and the physically disruptive task of substituting

RULES AND REGULATIONS

the use of huge amounts of clean fuels by energy producers and users at a time when traditional fuels such as natural gas are in short supply, it is apparent that the Nation faces a difficult task.

It is also apparent that the cost of this effort, translated into costs of fuel and electric energy to our economy and to individual energy consumers, will be substantial and cannot be wholly ignored. On the other hand, appropriate environmental costs must be recognized in the price of energy if we are to allocate our total resources properly.

There are alternative strategies which should permit achievement of the goals of the Clean Air Act within the legislative deadlines, but the approach must be twofold. First, implementation of the standards must take into account the limits on total availability of clean fuels. Second, government must also address the problem of creating economic and other incentives which ensure that natural or desulfurized clean fuels go to users in areas of greatest environmental need.

The Pure Air Act of 1972 (the sulfur emission tax), which is currently before Congress, is important to both aspects of this approach. The tax would permit clean fuels to reach users in areas of environmental need by providing a strong economic incentive for those users to bid for the clean fuels. The tax would also increase the availability of clean fuels by providing an economic stimulus both to develop new clean fuel resources, and to perfect technology for cleaning fuels before combustion, and for purifying exhaust gases.

Preliminary analysis by EPA indicates the real possibility that, under current conditions in the domestic and world fuel markets including the absence of the sulfur tax, all aspects of the State Plans in the aggregate cannot be achieved by 1975 despite the best efforts of both government and the private sector. Pending further study, EPA is approving or promulgating regulations for meeting both the primary and secondary SO₂ standards. The States should proceed to develop compliance schedules on the assumption that both standards can be met. In the meantime EPA will be completing its studies of the aggregate situation and will suggest necessary changes to the States, and likewise modify federally promulgated SO₂ regulations for achievement of the secondary standard where appropriate. Highest priority must be given to achieving the primary standards (health related) by the statutory deadline.

At this time, the States most likely to be affected by this shortage of clean fuels include Illinois, Indiana, Kentucky, Wisconsin, Michigan, Ohio, Tennessee, Alabama, Pennsylvania, West Virginia, Georgia, and New York, but others will also need to consider the availability of fuels in developing compliance schedules.

For its part in addition to completing this work, EPA intends to be vigorous in urging other Federal agencies and the Congress to adopt energy policies which will stimulate the availability of needed clean fuels and insure their availability to areas of greatest need, consistent with

environment, national security, consumer and other considerations.

NITROGEN DIOXIDE

Where attainment of the national standard for nitrogen dioxide would require additional emission reductions beyond those expected to result from Federal motor vehicle emission standards, the Administrator's regulations (40 CFR 51.14) required States to provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available technology for the control of stationary source emissions of nitrogen oxides, as defined by 40 CFR Part 51, Appendix B. Hydrocarbon emission reductions arising from the Federal motor vehicle standards or from transportation control measures undertaken to implement the national standards for photochemical oxidants will tend to reduce ambient air concentrations of nitrogen dioxide. In accordance with 40 CFR 51.14, this combination of stationary and mobile source control measures is considered an adequate control strategy for implementation of the national standards for nitrogen dioxide. Studies aimed at providing an improved basis for developing and evaluating nitrogen oxides control strategies are underway. Based on the results of these studies, the Administrator will determine whether revision of the State plans for implementation of the national standards for nitrogen dioxide will be necessary; such revisions may necessitate, among other things, the development and application of nitrogen oxides emission control techniques going beyond those which are now available. Pending such action, States' requests for 2-year extensions of the deadline for attainment of this national standard have not been evaluated.

HYDROCARBONS

The national standard for hydrocarbons (40 CFR 50.10) is a guide to the formulation of control strategies for attainment and maintenance of the national standard for photochemical oxidants. Accordingly, State plans were not required to provide for attainment and maintenance of the national standard for hydrocarbons, per se.

TRANSPORTATION CONTROL MEASURES

The Act and the Administrator's regulations (40 CFR Part 51) require States to take steps to reduce emissions from transportation sources wherever such steps are necessary for attainment and maintenance of national ambient air quality standards. In August 1971, when the Administrator's regulations were promulgated, it was recognized that States have had practically no experience with transportation control measures as a means of dealing with air quality problems and that available data were not sufficient to permit States to develop meaningful transportation control schemes and predict their impact on air quality. The Environmental Protection Agency had already begun an assessment of the extent to which various transportation control measures, includ-

ing motor vehicle inspection and installation of emission control devices on in-use automobiles, could be expected to produce improvements in air quality, but it was apparent that the results would not be available within the time allowed for development of State plans. Accordingly, the States were advised that adoption of transportation control schemes could be deferred beyond the statutory deadline for submittal of implementation plans but that State plans would have to define the degree of emission reduction to be achieved through transportation control measures and identify the measures being considered. States were further advised that they would have to submit, no later than February 15, 1973, together with their first semiannual progress reports, definitive transportation control plans, including identification of the specific measures to be implemented, demonstration of the adequacy of these measures for attainment and maintenance of the national standards, and a detailed timetable for obtaining any necessary legal authority and taking all other steps necessary to implement the various measures. The Environmental Protection Agency, in cooperation with the Department of Transportation, will provide assistance to the States in the development of their transportation control plans.

COMPLIANCE SCHEDULES

State plans were required to specify the dates by which all sources must be in compliance with applicable regulations, except that, where a State plan provides for negotiating compliance schedules for individual sources, such schedules are required to be submitted to the Administrator no later than the time of submittal of the State's first semiannual progress report. States generally have either prescribed a terminal date for compliance by all sources, with individual source schedules, including schedules of incremental steps toward compliance, to be negotiated, or have made regulations effective almost immediately, with compliance schedules to be negotiated and effectuated through a variance procedure. Either approach is considered acceptable: *Provided, first,* That compliance with all regulations related to attainment of national ambient air quality standards will be achieved by the attainment date specified in the State plan or prescribed by the Administrator, and second, that provision is made for negotiating compliance schedules, including incremental steps in cases where the terminal date is more than 18 months away.

EMERGENCY EPISODES

State plans were required to set forth episode criteria, i.e., pollutant concentrations at which specified emission control actions will be initiated in order to prevent significant harm to the health of persons. Episode criteria were required to be adequate to protect against occurrence of the significant harm levels prescribed by the Administrator (40 CFR 51.16). Emission control action plans were required to provide for abate-

ment action dealing with area sources, e.g., open burning, commercial and residential incinerators, and motor vehicles, and to provide for development of individual standby abatement plans for all stationary sources emitting 100 tons per year or more. Where episode criteria and/or emission control action plans applicable to area sources and motor vehicles were not submitted or were disapproved, the Administrator is not prescribing substitute provisions, but, rather, in carrying out his responsibilities under section 303 of the Act, will be guided by the suggested episode criteria and emission control action plans set forth in the Administrator's regulations (40 CFR Part 51, Appendix L). Where episode criteria and/or emission control action plans are approved, the Administrator will make use of them in the event that it is necessary to initiate action under section 303. In either case, the Administrator, in acting under section 303, may also take into consideration other relevant information and advice, including medical-scientific opinions on endangerment to the health of persons. Where a State plan fails to provide for public announcements of episode stages or fails to provide for development of standby abatement plans for stationary sources emitting 100 tons per year or more, the Administrator will promulgate regulations to correct such deficiencies.

AIR QUALITY SURVEILLANCE

Where a State's provisions for air quality surveillance do not meet the requirements of the Administrator's regulations (40 CFR 51.17), the deficiencies will be identified in the evaluation report, and the Environmental Protection Agency will work with the State in correcting the deficiencies. Insofar as air quality monitoring methods are concerned, the only methods currently approved are the reference methods prescribed by the Administrator (40 CFR Part 50) simultaneously with a promulgation of the national standards. With respect to carbon monoxide, photochemical oxidants, and hydrocarbons, the Administrator prescribed an analytical principle; any method employing exactly the same analytical principle is considered a reference method, provided that it meets the performance specifications set forth in the Administrator's regulations (40 CFR 51.17). For all pollutants, methods other than the reference methods prescribed by the Administrator may be approved if they are shown to be equivalent to the reference methods. Equivalency testing guidelines are being developed by the Environmental Protection Agency.

NEW SOURCES AND MODIFICATIONS

State plans were required to provide for review of new sources and modifications of existing sources and for preventing construction or modification if it would result in violations of applicable portions of a control strategy or interfere with attainment or maintenance of national standards.

RESOURCES

States were required by section 110 of the Act to provide assurances that they will have adequate resources, i.e., personnel and funding, to carry out their implementation plans. The Administrator's judgment as to the probable adequacy of projected resources is based on a number of considerations, including estimates of manpower needs in relation to factors affecting the nature and magnitude of air pollution problems and previous evaluations of the performance of State and local air pollution control agencies. Where it is the Administrator's judgment that a State's projected resources may be inadequate, the Environmental Protection Agency will work with the State in correcting this deficiency. The Administrator's judgment on the adequacy of resources should not be construed as a commitment to provide financial support; such support is subject to the limitations of funds appropriated under the Clean Air Act.

TWO-YEAR EXTENSIONS

The Act provides for 2-year, or shorter, extensions of the statutory deadline for attainment of national primary ambient air quality standards where needed technology or other alternatives are not available or will not be available soon enough to permit attainment of the primary standards within the 3-year period prescribed by the Act. For the most part, States' requests for such extensions were related to identified needs for application of transportation control measures. The Administrator has determined that the leadtime necessary for development, adoption, and implementation of transportation control measures generally precludes their application on any significant scale within the next 3 years, i.e., they will not be available soon enough to permit attainment of the primary standards within the time period prescribed by the Act. This determination was reflected in 40 CFR 51, in which emission control measures applicable to mobile sources, with minor exceptions, were not included among the various emission control measures judged to be attainable with reasonably available technology. Accordingly, it is the Administrator's judgment that 2-year extensions are justified in cases where transportation control measures will be necessary. It should be emphasized, however, that timetables for attainment of primary standards will be subject to continuing examination, and, where the Administrator finds that more expeditious attainment is practicable, States will be required to revise their timetables.

Where States have submitted implementation plans that do not provide for attainment of the primary standards within the 3-year period prescribed by the Act and have not requested an extension, the Administrator has evaluated such State plans to determine whether an extension is justified under the provisions of the Act. The Administrator's determinations in such cases are reflected below; these determinations will

also be subject to continuing examination, and where necessary, revision.

EIGHTEEN-MONTH EXTENSIONS

Under the Act, the Administrator may, wherever he determines necessary, extend for a period of not more than 18 months the deadline for submittal of a State plan or portion thereof which would implement a national secondary standard. 40 CFR 51.31 provides that such extensions may be granted where attainment of a secondary standard will require emission reductions exceeding those which can be achieved through the application of reasonably available control technology, as defined in 40 CFR Part 51, Appendix B. Where a State plan fails to provide for attainment of a secondary standard, and where attainment would require emission reductions exceeding those which can be achieved through the application of reasonably available control technology, the Administrator is providing for an 18-month extension regardless of whether the State has requested one. Such extensions will be applicable to adoption of an adequate plan for implementation of the secondary standard by the State or promulgation of an adequate implementation plan by the Administrator.

EMISSION DATA AVAILABILITY

The Act requires assurance that States will provide for public availability of emission data. Where a State lacks legal authority to obtain and/or release emission data or where the State plan is deficient with respect to source-reporting requirements or procedures for public access to emission data, the Administrator is disapproving the pertinent provisions of the State plan. The Administrator will promulgate regulations to remedy such deficiencies. Under section 114 of the Clean Air Act, States may request delegation of the Administrator's authority to obtain and release information.

SOURCE MONITORING

States must have legal authority to require stationary source owners or operators to install, maintain, and use emission monitoring devices. The Environmental Protection Agency is making an analysis of the performance of currently available emission (in-stack) monitoring devices. Accordingly, States were not required by 40 CFR Part 51 to impose specific source-by-source requirements for in-stack monitoring at this time.

OPTIONAL CONTROL

Several State plans include regulations under which a source owner or operator could be exempt from compliance with an applicable emission limitation if he can show that emissions from the source will not interfere with attainment or maintenance of the national standards. The Administrator neither approves nor disapproves such optional control features. States are advised, however, that action taken to allow any such exemptions will constitute revision of a State plan and

RULES AND REGULATIONS

therefore will be subject at that time to the Administrator's approval.

REVISIONS

In accordance with the Act and the Administrator's regulations (40 CFR 51.6), all State plans are subject to revision, as necessary, to take account of revisions of the national standards, availability of improved or more expeditious methods of attaining the national standards, or a finding by the Administrator that a State plan is substantially inadequate to attain or maintain a national standard. Accordingly, whether a State has acknowledged that its implementation plan is subject to revision is considered immaterial.

ENFORCEMENT

Upon approval by the Administrator, a State plan is enforceable by the Administrator under the Clean Air Act. All approved provisions relating to attainment and maintenance of national standards, including approved rules and regulations, are subject to such enforcement action. Where a State plan includes regulations designed to attain and maintain air quality better than that required by the national standards, such regulations are subject to enforcement action under the Clean Air Act unless they are separate from those necessary for attainment and maintenance of the national standards.

PROGRESS REPORTS

States are required to submit semi-annual reports on their progress in carrying out approved implementation plans or portions thereof. For implementation plans approved herein, the first progress reports will be due February 15, 1973. A format for use in preparing and submitting such reports is being prepared and will be made available to the States.

PREVIOUS APPROVALS

The State implementation plans approved herein supplement the portions previously approved by the Administrator, notice of which was published February 3, 1972 (37 FR 2581), at Part 52 of Title 40 of the Code of Federal Regulations. Portions of State plans which have previously been approved remain in effect and unaffected by the approvals published today.

SCOPE OF APPROVALS

In general, all portions of State plans which are related to attainment and maintenance of national standards are approved unless specifically disapproved herein.

JUDICIAL REVIEW

The Administrator's approval or promulgation of implementation plans, or portions thereof, is subject to judicial review under section 307(b)(1) of the Clean Air Act. For purposes of section 307(b)(1), the 30-day period within which a petition for review may be filed will be considered to run from the date of publication in the FEDERAL REGISTER of a notice of approval or promulgation of a plan or portion thereof.

NOTE

Subpart A of the regulations includes general statements regarding the type of provisions which will be promulgated by the Agency as necessary in various subparts. These statements are expressed in the present tense in order to avoid revisions of verb tenses at the time of promulgation.

EFFECTIVE DATE

These regulations are effective on the date of their publication in the FEDERAL REGISTER (5-31-72). The Agency finds that good cause exists for not publishing these regulations as a notice of proposed rule making and for making them effective immediately upon publication, for the following reasons:

1. The implementation plans were prepared, adopted, and submitted by the States, and reviewed and evaluated by the Administrator pursuant to 40 CFR Part 51, which, prior to promulgation, had been published as a notice of proposed rule-making for comment by interested persons, and

2. The approved implementation plan provisions were adopted in accordance with procedural requirements of State and Federal law, which provided for adequate public participation through notice, public hearings, and time for comment, and consequently further public participation is unnecessary.

(42 U.S.C. 1857c-5)

Dated: May 26, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

NOTE: Incorporation by reference provisions approved by the Director of the Federal Register on May 18, 1972.

Part 52 of Chapter I of Title 40 of the Code of Federal Regulations is amended by redesignating existing § 52.1 as new Subpart EEE, § 52.2850 and by adding new Subparts A-DDD as follows:

Subpart A—General Provisions

§ 52.01 Definitions.

All terms used in this part but not defined herein shall have the meaning given them in the Clean Air Act and in Part 51 of this chapter.

§ 52.02 Introduction.

(a) This part sets forth the Administrator's approval and disapproval of State plans and the Administrator's promulgation of such plans or portions thereof. Approval of a plan or any portion thereof is based upon a determination by the Administrator that such plan or portion meets the requirements of section 110 of the Act and the provisions of Part 51 of this chapter.

(b) Any plan or portion thereof promulgated by the Administrator substitutes for a State plan or portion thereof disapproved by the Administrator or not submitted by a State, or supplements a State plan or portion thereof. The promulgated provisions, together with any portions of a State plan approved by the Administrator, constitute the applicable plan for purposes of the Act.

(c) Where nonregulatory provisions of a plan are disapproved, the disapproval

is noted in this part and a detailed evaluation is provided to the State, but no substitute provisions are promulgated by the Administrator.

(d) All approved regulatory provisions of each plan are incorporated by reference in this part. Regulatory provisions of a plan approved or promulgated by the Administrator are enforceable by the Administrator and the State, and by local agencies in accordance with their assigned responsibilities under the plan.

(e) Each State's plan is dealt with in a separate subpart, which includes an introductory section identifying the plan by name and the date of its submittal, a section classifying regions, and a section setting forth dates for attainment of the national standards. Additional sections are included as necessary to specifically identify disapproved provisions, to set forth reasons for disapproval, and to set forth provisions of the plan promulgated by the Administrator.

(f) Revisions to applicable plans will be included in this part when approved or promulgated by the Administrator.

§ 52.03 Extensions.

Each subpart includes the Administrator's determination with respect to any request under section 110(b) of the Act for an extension of the deadline for submitting that portion of a plan which implements a secondary standard or any request under section 110(e) of the Act for an extension of the 3-year deadline for attainment of a primary standard.

§ 52.04 Classification of regions.

Each subpart sets forth the priority classification, by pollutant, for each region in the State. Each plan for each region was evaluated according to the requirements of Part 51 of this chapter applicable to regions of that priority.

§ 52.05 Public availability of emission data.

Each subpart sets forth the Administrator's disapproval of plan procedures for making emission data available to the public after correlation with applicable emission limitations, and includes the promulgation of requirements that sources report emission data to the Administrator for correlation and public disclosure.

§ 52.06 Legal authority.

(a) The Administrator's determination of the absence or inadequacy of legal authority required to be included in the plan is set forth in each subpart. This includes the legal authority of local agencies and State governmental agencies other than an air pollution control agency if such other agencies are assigned responsibility for carrying out a plan or portion thereof.

(b) No legal authority as such is promulgated by the Administrator. Where required regulatory provisions are not included in the plan by the State because of inadequate legal authority, substitute provisions are promulgated by the Administrator.

(c) Where a State plan did not clearly set forth a timetable for obtaining legal authority to establish transportation and land-use controls necessary to attain or

maintain the national standards, the subpart sets forth a timetable for the acquisition of such authority and the adoption of the necessary control measures. The State's failure to comply with the timetable set forth in the subpart will be grounds for promulgation of the required measures by the Administrator.

§ 52.07 Control strategies.

(a) Each subpart specifies in what respects the control strategies are approved or disapproved, and also specifies the date by which an approved or promulgated control strategy will result in the attainment of the pertinent national standards.

(b) A control strategy may be disapproved as inadequate because it is not sufficiently comprehensive, although all regulations provided to carry out the strategy may themselves be approved. In this case, regulations for carrying out necessary additional measures are promulgated in the subpart.

(c) Where a control strategy is adequate to attain and maintain a national standard but one or more of the regulations to carry it out is not adopted or not enforceable by the State, the control strategy is approved and the necessary regulations are promulgated by the Administrator.

(d) Where a control strategy is adequate to attain and maintain air quality better than that provided for by a national standard but one or more of the regulations to carry it out is not adopted or not enforceable by the State, the control strategy is approved and substitute regulations necessary to attain and maintain the national standard are promulgated.

§ 52.08 Rules and regulations.

Each subpart identifies the regulations, including emission limitations, which are disapproved by the Administrator, and includes the regulations which the Administrator promulgates.

§ 52.09 Compliance schedules.

(a) In each subpart, compliance schedules disapproved by the Administrator are identified, and compliance schedules promulgated by the Administrator are set forth.

(b) Individual source compliance schedules submitted with certain plans have not yet been evaluated, and are not approved or disapproved.

§ 52.10 Review of new sources and modifications.

In any plan where the review procedure for new sources and source modifications does not meet the requirements of § 51.18 of this chapter, provisions are promulgated which enable the Administrator to obtain the necessary information and to prevent construction or modification.

§ 52.11 Prevention of air pollution emergency episodes.

(a) Each subpart identifies portions of the air pollution emergency episode contingency plan which are disapproved, and sets forth the Administrator's promulgation of substitute provisions.

(b) No provisions are promulgated to replace any disapproved air quality monitoring or communications portions of a contingency plan, but detailed critiques of such portions are provided to the State.

§ 52.12 Source surveillance.

(a) Each subpart identifies the plan provisions for source surveillance which are disapproved, and sets forth the Administrator's promulgation of necessary provisions for requiring sources to maintain records, make reports, and submit information.

(b) No provisions are promulgated for any disapproved State or local agency procedures for testing, inspection, investigation, or detection, but detailed critiques of such portions are provided to the State.

(c) For purposes of Federal enforcement, emissions from sources subject to provisions of a plan which did not specify a test procedure or subject to provisions promulgated by the Administrator will be tested by means of the procedures and methods prescribed in the appendix to Part 60 of this title, and

emissions from sources subject to approved provisions of a plan wherein a test procedure was specified will be tested by the specified procedure.

§ 52.13 Air quality surveillance; resources; intergovernmental cooperation.

Disapproved portions of the plan related to the air quality surveillance system, resources, and intergovernmental cooperation are identified in each subpart, and detailed critiques of such portions are provided to the State. No provisions are promulgated by the Administrator.

§ 52.14 State ambient air quality standards.

Any ambient air quality standard submitted with a plan which is less stringent than a national standard is not considered part of the plan.

§ 52.15 Public availability of plans.

Each State shall make available for public inspection at least one copy of the plan in at least one city in each region to which such plan is applicable. All such copies shall be kept current.

Subpart B—Alabama

§ 52.50 Identification of plan.

- (a) Title of plan: "Air Quality Implementation Plan for the State of Alabama."
- (b) The plan was officially submitted on January 25, 1972.
- (c) Supplemental information was submitted on March 21, April 18, and April 28, 1972, by the Alabama Air Pollution Control Commission.

§ 52.51 Classification of regions.

The Alabama plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Alabama & Tombigbee Rivers Intrastate	II	III	III	III	III
Columbus (Georgia)-Phenix City (Alabama) Interstate	I	III	III	III	III
East Alabama Intrastate	I	III	III	III	III
Metropolitan Birmingham Intrastate	I	II	III	I	I
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	I	I	III	III	I
Southeast Alabama Intrastate	II	III	III	III	III
Tennessee River Valley (Alabama)-Cumberland Mountains (Tennessee) Interstate	I	I	III	III	III

§ 52.52 Extensions.

The Administrator hereby extends for 2 years the attainment date for the national standards for photochemical oxidants and carbon monoxide in the Metropolitan Birmingham Intrastate Region and for photochemical oxidants in the Alabama portion of the Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate Region.

RULES AND REGULATIONS

§ 52.53 Approval status.
The Administrator approves Alabama's plan for the attainment and maintenance of the national standards.

§ 52.54 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Alabama's plan.

Air quality control region	Pollutant					
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photocchemical oxidants (hydrocarbons)	Photocchemical oxidants (hydrocarbons)
Alabama & Tombigbee Rivers Interstate	c	a	d	d	d	d
Columbus (Georgia)-Phenix City (Alabama) Interstate	a	a	d	d	d	d
East Alabama Intra-state	a	a	d	d	d	d
Metropolitan Birmingham Intra-state	a	a	d	a	b	b
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	a	a	d	a	b	b
Southeast Alabama Intra-state Tennessee River Valley (Alabama)-Cumberland Mountains (Tennessee) Interstate	a	a	a	d	a	d

a. 3 years from plan approval or promulgation.

b. 5 years from plan approval or promulgation.

c. Air quality levels presently below primary standards.

d. Air quality levels presently below secondary standards.

Subpart C—Alaska**§ 52.70 Identification of plan.**

- (a) Title of plan: "State of Alaska Air Quality Control Plan."
- (b) The plan was officially submitted on April 25, 1972.

§ 52.71 Classification of regions.

The Alaska plan was evaluated on the basis of the following classifications:

45.05.130 of the Fairbanks North Star Borough ordinance could require it to be confidential [§ 51.11(a) (6) of this chapter].

§ 52.72 Approval status.

With the exceptions set forth in this subpart, the Administrator approves

Alaska's plan for the attainment and maintenance of the national standards.

§ 52.73 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide the necessary procedures for making emission data, as correlated with allowable emissions, available to the public.

§ 52.74 Legal authority.

(a) The requirements of § 51.11 of this chapter are not met since in:

(1) Alaska Department of Environmental Conservation.

(1) Authority to make emission data, available since AS 46.03.180

might prohibit disclosure [§ 51.11(a) (6) of this chapter].

(1) Authority to enforce local regulations or State regulations is lacking in areas where a local agency is organized [§ 51.11(f) of this chapter].

(2) Cook Inlet Air Resources Management District.

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(a) Authority to require installation of monitoring devices is inadequate [§ 51.11

(a) (6) of this chapter].

(1) Authority to obtain injunctions is inadequate [§ 51.11(a) (2) of this chapter] [§ 51.11(a) (6) of this chapter].

(1) Authority to obtain injunctions is inadequate [§ 51.11(a) (6) of this chapter].

(3) Fairbanks North Star Borough.

(1) Authority to obtain injunctions is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(1) Authority to require recordkeeping is inadequate [§ 51.11(a) (6) of this

chapter].

(v) Authority to abate emergency air pollution episodes is inadequate because conditions of air pollution and because the order of the Commission is subject to review de novo [§ 51.11(a)(3) of this chapter].

(vi) Authority for necessary transportation controls is not set forth nor is a timetable for obtaining it included [§ 51.11(b) of this chapter].

§ 52.75 Control strategy and regulations: Sulfur oxides and particulate matter.

(a) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section and associated regulations. Therefore, the Administrator disapproves these portions of the plan pending completion of his evaluation.

§ 52.76 Control strategy and regulations: Carbon monoxide.

(a) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section and associated regulations. Therefore, the Administrator disapproves these portions of the plan pending completion of his evaluation.

§ 52.77 Prevention of air pollution emergency episodes.

(a) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section. Therefore, the Administrator approves this section of the plan pending completion of his evaluation.

§ 52.78 Review of new sources and modifications.

(a) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section. Therefore, the Administrator approves this section of the plan pending completion of his evaluation.

§ 52.79 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not set forth legally enforceable procedures for requiring owners or operators of stationary sources to maintain records of, and periodically report to the State information on, the nature and amounts of emissions as may be necessary to enable the State to determine whether such sources are in compliance with applicable portions of the control strategy.

(b) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of the remaining portions of this section. Therefore, the Administrator disapproves these portions of this section of the plan pending completion of his evaluation.

§ 52.80 Intergovernmental cooperation.

(a) The requirements of § 51.21 of this chapter are not met since the plan does not clearly delineate the responsibilities of the State and local air pollution control agencies, nor does it adequately discuss the responsibilities of other State or local agencies implementing portions of the plan. Specifically, the emergency avoidance plan and the control strategies which are to be further developed by the Cook Inlet and Fairbanks North Star Borough agencies, do not adequately explain agency responsibilities.

§ 52.81 Attainment dates for national standards.

Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section. Therefore, the Administrator disapproves this section of the plan pending completion of his evaluation.

Subpart D—Arizona

§ 52.120 Identification of plan.

(a) Title of plan: "The State of Arizona Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 28, 1972.

(c) Supplemental information was submitted on:

No. 105—Pt. III—2

(1) March 1, 1972, by the Arizona State Board of Health, and
 (2) March 2, 1972.

§ 52.121 Classification of regions.

The Arizona plan was evaluated on the basis of the following classifications:

Air quality control region	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Pollutant
Arizona-New Mexico Southern Border Interstate	I-A	I-A	III	III	Photochemical oxidants (hydrocarbons)
Clark-Mohave Interstate	I	I-A	I	I	I
Four Corners Interstate	I-A	I-A	I-A	III	III
Phoenix-Tucson Intrastate	I	I	I	I	I

§ 52.122 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Phoenix-Tucson Intrastate Region.

§ 52.123 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Arizona's plan for the attainment and maintenance of the national standards.

§ 52.124 Legal authority.

(a) The requirements of § 51.11(f) of this chapter are not met since the State lacks the authority to enforce local regulations which are necessary to the control strategy.

§ 52.125 Control strategy and regulations: Sulfur oxides.

(a) The requirements of §§ 51.13 and 51.22 of this chapter are not met since the plan does not contain a control strategy nor regulations which provide for the attainment and maintenance of the national standards for sulfur oxides in the Phoenix-Tucson Intrastate Region, and the Arizona portions of the Arizona-New Mexico Southern Border and Four Corners Interstate Regions.

§ 52.126 Control strategy and regulations: Particulate matter.

(a) The requirements of §§ 51.13 and 51.22 of this chapter are not met since the plan does not provide for the attainment and maintenance of the national standards for particulate matter in the Phoenix-Tucson Intrastate Region, and the Arizona portions of the Arizona-New Mexico Southern Border, Clark-Mohave, and Four Corners Interstate Regions.

§ 52.127 Control strategy and regulations: Nitrogen dioxide.

(a) The requirements of §§ 51.14(c)(3) and 51.22 of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Phoenix-Tucson Intrastate Region.

RULES AND REGULATIONS

§ 52.128 Air quality surveillance.

(a) The requirements of § 51.17(a)(2) of this chapter are not met since the plan does not provide for a sampler in the area of estimated maximum sulfur dioxide concentrations in the Phoenix-Tucson Intrastate and the Arizona portion of the Arizona-New Mexico Southern Border Region.

§ 52.129 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since the plan does not contain legally enforceable State procedures for disapproving construction of a source which would interfere with attainment or maintenance of the secondary standards for particulate matter.

(b) The requirements of § 51.18(c) of this chapter are not met in the Phoenix-Tucson Intrastate Region since the Maricopa County procedures are not adequate to prevent construction of a source which would interfere with the attainment or maintenance of the secondary standards for particulate matter. The Pima County regulations are not adequate to prevent construction of a source which would interfere with the attainment or maintenance of the national standards.

§ 52.130 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not contain legally enforceable procedures for requiring sources to periodically report on the nature and amounts of emissions.

(b) The requirements of § 51.19(c) of this chapter are not met since the plan does not provide visible emission limitations.

§ 52.131 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Arizona's plan, except where noted.

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Arizona-New Mexico Southern Border Interstate	a	a	b	c	c
Clark-Holhave Interstate	a	a	a	c	a
Four Corners Interstate	a	a	a	c	c
Phoenix-Tucson Intrastate	July 1975	July 1976	a	b	July 1977

NOTE.—Dates of footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. 6 years from plan approval or promulgation.

c. Air quality levels presently below secondary standards.

d. Transportation and/or land use control strategy to be submitted no later than Feb. 15, 1973, with the first semiannual report.

e. Transportation and/or land use measures will be proposed by the Administrator no later than Feb. 15, 1973.

§ 52.132 Transportation and land use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter for the Phoenix-Tucson Intrastate Region, the Governor of Arizona must submit to the Administrator:

FEDERAL REGISTER, VOL. 37, NO. 105—WEDNESDAY, MAY 31, 1972

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternatives and a demonstration that said alternatives, along with the presently adopted stationary source hydrocarbon emission limitations included in the plan and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide by July 1977 and photochemical oxidants (hydrocarbons) by July 1975; By this date (February 15, 1973), the State must also include a detailed timetable for implementing the legislative authority, regulations, and control alternatives necessary to attain and maintain the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) by the dates prescribed above.

(2) No later than July 30, 1973, the legislative authority that is needed for carrying out the transportation control alternatives.

(3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

Subpart E—Arkansas

§ 52.170 Identification of plan.

(a) Title of plan: "Arkansas Plan of Implementation for Air Pollution Control."

(b) The plan was officially submitted on January 28, 1972.

(c) Supplemental information was submitted on January 25, 1972, and February 24, 1972, by the State of Arkansas Department of Pollution Control and Ecology.

§ 52.171 Classification of regions.

The Arkansas plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Central Arkansas Intra-state	II	III	III	III	III
Metropolitan Fort Smith Interstate	II	III	III	III	III
Metropolitan Memphis Interstate	I	III	I	III	I
Monroe (Louisiana)-El Dorado (Arkansas) Interstate	II	III	III	III	III
Northeast Arkansas Intra-state	III	III	III	III	III
Northwest Arkansas Intra-state	III	III	III	III	III
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III

§ 52.172 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Arkansas' plan for the attainment and maintenance of the national standards.

RULES AND REGULATIONS

§ 52.173 Compliance schedules.

(a) The requirements of § 51.15(a)(2) of this chapter are not met since individual source compliance schedules already in effect were not submitted with the plan.

§ 52.174 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not contain adequate legally enforceable procedures requiring owners or operators of stationary sources to maintain records of, and periodically report to the State, information on emissions.

§ 52.175 Resources.

(a) The requirements of § 51.20 of this chapter are not met since the plan shows a lack of manpower resources and the associated funds necessary to carry out the plan during the 5-year period following its submission.

§ 52.176 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Arkansas' plan, except where noted.

Air quality control region	Pollutant					
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)	Photochemical oxidants (hydrocarbons)
Central Arkansas Intra-state	a	c	c	c	c	c
Metropolitan Fort Smith Intra-state	b	a	c	c	c	c
Metropolitan Memphis Intra-state	a	a	c	c	c	c
Monroe (Louisiana)-El Dorado (Arkansas) Intra-state	b	a	c	c	c	c
Northeast Arkansas Intra-state	c	c	c	c	c	c
Air quality control region	Pollutant					
Northwest Arkansas Intra-state	c	c	c	c	c	c
Shreveport-Texarkana-Tyler Intra-state	b	a	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below primary standards.

c. Air quality levels presently below secondary standards.

Subpart F—California

§ 52.220 Identification of plan.

(a) Title of plan: "The State of California Implementation Plan for Achieving and Maintaining the National Ambient Air Quality Standards".

(b) The plan was officially submitted on February 21, 1972.

(c) Supplemental information was submitted on April 3, 10, 19, 21, 26, and May 5, 1972, by the California Air Resources Board.

§ 52.221 Classification of regions.

The California plan was evaluated on the basis of the following classifications:

Air quality control region	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)	Photochemical oxidants (hydrocarbons)
North Coast Intra-state	II	III	III	III	III	III
San Francisco Bay Area Intra-state	II	II	I	I	I	I
North Central Coast Intra-state	II	III	III	III	III	III
South Central Coast Intra-state	III	III	III	III	III	III
Metropolitan Los Angeles Intra-state	I	II	I	I	I	I
Northeast Plateau Intra-state	III	III	III	III	III	III
Sacramento Valley Intra-state	II	III	III	III	III	III
San Joaquin Valley Intra-state	I	III	III	III	III	III
Great Basin Valley Intra-state	III	III	III	III	III	III
Southeast Desert Intra-state	I	III	III	III	III	III
San Diego Intra-state	II	III	I	I	I	I

§ 52.222 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submittal of the plan for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Los Angeles Intra-state Region.

(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Sacramento Valley Intra-state Region and the national standard for photochemical oxidants (hydrocarbons) in the San Francisco Bay Area, Metropolitan Los Angeles, Sacramento Valley, San Joaquin Valley, and Southeast Desert Intra-state Regions.

§ 52.230 Control strategy: Nitrogen dioxide, Metropolitan Los Angeles Intrastate Region.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through application of reasonably available control technology in the Metropolitan Los Angeles Intrastate Region.

§ 52.231 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16 of this chapter are not met since the plan provides no means of taking necessary emission control actions, specifies no episode criteria, nor delineates any of the procedures to be implemented during an emergency episode.

§ 52.232 Air quality surveillance.

(a) The requirements of § 51.17(a) of this chapter are not met since the plan does not specify which air quality monitoring stations have been designated for the purpose of monitoring in an area of maximum pollutant concentrations and the proposed network does not provide for the required number of samplers in all regions.

(b) The requirements of § 51.17(b) of this chapter are not met since methods of sampling analysis, data handling, and data analysis were not adequately described in the plan.

(c) The requirements of § 51.17(c) of this chapter are not met since the plan does not provide for monitoring air quality during an emergency episode.

§ 52.233 Review of new sources and modifications.

(a) The requirements of § 51.18(a) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not provide procedures for obtaining information prior to construction, nor the means of preventing construction.

(1) Sacramento Valley Intrastate:

(i) Colusa County APCD.

(ii) Sutter County APCD.

(2) San Joaquin Valley Intrastate:

(i) Calaveras County APCD.

(ii) Fresno County APCD.

(iii) Kern County APCD.

(iv) Kings County APCD.

(v) Madera County APCD.

(vi) Mariposa County APCD.

(vii) Merced County APCD.

(viii) San Joaquin County APCD.

(ix) Stanislaus County APCD.

(x) Tulare County APCD.

(3) Southeast Desert Intrastate:

(i) Kern County APCD.

(b) The requirements of § 51.18(a) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not provide procedures for the review of new sources and modifications.

(1) San Francisco Bay Area Intrastate:

(i) Bay Area APCD.

(2) Sacramento Valley Intrastate:

(i) Sacramento County APCD.

(c) The requirements of § 51.18(a) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not provide the means to prevent construction.

(1) Metropolitan Los Angeles Intrastate:

(i) Santa Barbara County APCD.

(ii) Ventura County APCD.

(2) South Central Coast Intrastate:

(i) Santa Barbara County APCD.

(d) The requirements of § 51.18(c) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not include a means to prevent construction or modification of sources if such construction or modification would interfere with the attainment or maintenance of a national standard.

(1) Great Basin Valley Intrastate:

(i) Inyo County APCD.

(ii) Mono County APCD.

(2) Metropolitan Los Angeles Intrastate:

(i) Los Angeles County APCD.

(ii) Orange County APCD.

(iii) Riverside County APCD.

(iv) San Bernardino County APCD.

(3) North-Central Coast Intrastate:

(i) Monterey-Santa Cruz Unified APCD.

(ii) San Benito County APCD.

(4) North Coast Intrastate:

(i) Humboldt County APCD.

(ii) Mendocino County APCD.

(iii) Siskiyou County APCD.

(5) Northeast Plateau Intrastate:

(i) Lassen County APCD.

RULES AND REGULATIONS

- (ii) Siskiyou County APCD.
- (iii) Modoc County APCD.
- (iv) Shasta County APCD.
- (6) Sacramento Valley Intraprivate:
 - (1) El Dorado County APCD.
 - (11) Nevada County APCD.
 - (iii) Placer County APCD.
 - (iv) Plumas County APCD.
 - (v) Shasta County APCD.
 - (vi) Sierra County APCD.
 - (vii) Yolo-Solano Unified APCD.

§ 52.238 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in California's plan, except where noted.

Air quality control region	Particulates			Sulfur oxides			Nitrogen dioxide			Carbon monoxide			Photochemical oxidants (hydrocarbons)		
	Primary	Secondary	Primary	Secondary	Primary	Secondary	July 1975,f	July 1975,f	July 1975,f	July 1975,f	July 1975,f	July 1975,f	July 1977,f	July 1977,f	
North Coast Intraprivate	a	a	e	e	e	e				e	e	e	e	e	
San Francisco Bay Area Intraprivate	d	a	e	e	e	e									
North Central Coast Intraprivate	d	a	e	e	e	e									
South Central Coast Intraprivate	d	a	e	e	e	e									
Metropolitan Los Angeles Intraprivate															
San Diego Intraprivate	a	a	e	e	e	e									
Northeast Plateau Intraprivate	e	e	e	e	e	e									
Sacramento Valley Intraprivate	d	a	e	e	e	e									
San Joaquin Valley Intraprivate	July 1975,g	July 1977,g	c	e	e	e									
Great Basin Valley Intraprivate	e	e	e	e	e	e									
Southeast Desert Intraprivate	a	a	e	e	e	e									

Note.—Dates or footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date or the date provided was not acceptable.

- a. Three years from plan approval or promulgation.
- b. Five years from plan approval or promulgation.
- c. Eighteen-month extension granted.

(e) The requirements of §§ 51.18 and 51.22 of this chapter are not met in the indicated portions of the following Regions since the adopted regulations for the Air Pollution Control Districts (APCD) were not submitted with the plan.

- (1) Yolo-Solano Unified APCD.
- (2) North Coast Intraprivate:
 - (1) Lake County APCD.
 - (11) Trinity County APCD.
- (3) Sacramento Valley Intraprivate:
 - (1) Glenn County APCD.
 - (11) Yuba County APCD.
- (4) San Francisco Bay Area Intraprivate:
 - (1) Sonoma County APCD.

§ 52.234 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met except in the Bay Area Air Pollution Control District portion of the San Francisco Bay Area Intraprivate since the plan does not provide for periodic reporting and record keeping of emission data by sources.

(b) The requirements of § 51.19(b) of this chapter are not met since the plan does not adequately provide for periodic testing and inspection of stationary sources within the Bay Area Air Pollution Control District portion of the San Francisco Bay Area Intraprivate Region.

(c) The requirements of § 51.19(c) of this chapter are not met since the system for detecting violations through enforcement of visible emission regulations and complaint handling is not adequately described.

- § 52.235 Resources.**
 - (a) The requirements of § 51.20 of this chapter are not met since resources have not been delineated according to regions, and resources for local agencies are not provided according to subcategories within each function as indicated in Appendix K of Part 51 of this chapter.

§ 52.236 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since emission limitations necessary for the attainment and maintenance of the national standard for photochemical oxidants (hydrocarbons) in the San Diego, Sacramento Valley, and San Joaquin Valley Intraprivate Regions were not adopted as rules and regulations.

§ 52.329 Transportation and land use controls.

a. Air quality levels presently below primary standards.
 b. Air quality levels presently below secondary standards.
 c. A timetable for implementing the land use and transportation control strategies is to be submitted no later than February 15, 1973, with the first semiannual report.
 d. Transportation and land use measures will be proposed by the Administrator no later than February 15, 1973.

§ 52.322 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Colorado's plan for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Denver, San Isabel, and Pawnee Infrastate Regions.
 (b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Metropolitan Denver Infrastate Region.

§ 52.323 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Colorado's plan for the attainment and maintenance of the national standards.

§ 52.324 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since the State lacks the authority to require owners or operators of stationary sources to install, maintain, and use emission monitoring devices and to make periodic reports to the State on the nature and amounts of emissions from such stationary sources.
 (b) Delegation of authority: Pursuant to section 114 of the Act, Colorado requested a delegation of authority to enable it to require sources to install and maintain monitoring equipment and to report periodically on the nature and amount of their emissions. The Administrator has determined that Colorado is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to Colorado his authority under section 114(a)(1), (B) and (C) of the Act, i.e., authority to require sources within the State of Colorado to install and maintain monitoring equipment and to report periodically on the nature and amount of their emissions.

§ 52.325 Attainment dates for national standards.

The following table presents the dates by which the national standards are to be attained. These dates reflect the information presented in Colorado's plan, except where noted.

§ 52.320 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for State of Colorado".

(b) The plan was officially submitted on January 26, 1972.

(c) Supplemental information was submitted on:

(1) February 14, and March 20, 1972.

(2) May 1, 1972 by the Colorado Air Pollution Control Commission, and

(3) May 1, 1972, by the Colorado Air Pollution Control Division.

Subpart G—Colorado**§ 52.321 Classification of regions.**

The Colorado plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical Oxidants (hydrocarbons)
Pawnee Infrastate	I	III	III	III	III
Metropolitan Denver Infrastate	I	III	III	I	I
Comanche Infrastate	III	III	III	III	III
San Isabel Infrastate	I	III	III	III	III
San Luis Infrastate	III	III	III	III	III
Four Corners Infrastate	IA	IA	IA	III	III
Grand Mesa Infrastate	III	III	III	III	III
Yampa Infrastate	III	III	III	III	III

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Pawnee Infrastate	<u>a</u>	b	d	d	d
Metropolitan Denver Infrastate	<u>a</u>	b	d	d	July 1977 ^c
Comanche Infrastate	d	d	d	d	d
San Isabel Infrastate	<u>a</u>	b	d	d	d
San Luis Infrastate	c	<u>a</u>	d	d	d
Grand Mesa Infrastate	<u>a</u>	<u>a</u>	d	d	d
Yampa Infrastate	d	d	d	d	d
Four Corners Infrastate	<u>a</u>	<u>a</u>	d	d	d

Note.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.

a. Three years from plan approval or promulgation.
 b. 18-month extension granted.

RULES AND REGULATIONS

- c. Air quality levels presently below primary standards.
 d. Air quality levels presently below secondary standards.
 e. Transportation and/or land use control strategies are to be submitted no later than February 16, 1973, with the first semiannual report.

S 52.326 Transportation and land-use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Colorado must submit to the Administrator:

- (1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative, along with the Federal Motor Vehicle Control program, will attain and maintain the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Metropolitan Denver Intrastate Region by July 1977. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternative by July 1977.
 (2) No later than December 31, 1973, the legislative authority that is needed for carrying out the required transportation control alternative. By December 31, 1973, the State must also submit the necessary adopted regulations and administrative policies needed to implement the transportation control alternative.

Support H—Connecticut**S 52.370 Identification of plan.**

(a) Title of plan: "State of Connecticut Air Implementation Plan."

(b) The plan was officially submitted on March 3, 1972.

(c) Supplemental information was submitted on March 21, and April 6, 1972, by the Connecticut Department of Environmental Protection.

S 52.371 Classification of regions.

The Connecticut plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
New Jersey-New York-Connecticut Interstate	I	I	I	I	I
Hartford-New Haven-Springfield Intrastate	I	I	I	I	I
Northwestern Intrastate	III	III	III	III	III
Eastern Intrastate	II	III	III	III	III

S 52.372 Extensions.

The Administrator hereby extends for 18 months the statutory timetable for submission of Connecticut's plan for attainment and maintenance of the secondary standards for particulate matter in the Connecticut portion of the New Jersey-New York-Connecticut and Hartford-New Haven-Springfield Interstate Regions.

S 52.373 Approval status.

The Administrator approves Connecticut's plan for the attainment and maintenance of the national standards.

S 52.374 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Connecticut's plan, except where noted.

Air quality control region	Particulate matter	Sulfur oxides	Pri- mary Second- ary	Sec- ondary	Pollutant
New Jersey-New York-Connecticut Interstate	I	b	I	I	Nitrogen dioxide
Hartford-New Haven-Springfield Intrastate	I	b	I	I	Carbon monoxide
Northwestern Intrastate	d	d	d	d	Photochemical oxidants (hydrocarbons)
Eastern Intrastate	c	I	d	d	

Note.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. Three years from plan approval or promulgation.
 b. 18-month extension granted.
 c. Air quality levels below primary standards.
 d. Air quality levels below secondary standards.

Subpart I—Delaware**S 52.420 Identification of plan.**

(a) Title of plan: "State of Delaware Implementation Plans for Attainment and Maintenance of National Ambient Air Quality Standards."
 (b) The plan was officially submitted on January 28, 1972.
 (c) Supplemental information was submitted on February 11, March 10, and May 5, 1972, by the State of Delaware, Department of Natural Resources and Environmental Control.

S 52.421 Classification of regions.

The Delaware plan was evaluated on the basis of the following classifications:

Air quality control region	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)	Pollutant
Metropolitan Philadelphia Interstate	I	I	I	I	I	Nitrogen dioxide
Southern Delaware Intrastate	III	III	III	III	III	Carbon monoxide

RULES AND REGULATIONS

§ 52.476 Compliance schedules.

(a) The requirements of §§ 51.15 and 51.22 of this chapter are not met since the regulations referred to in § 52.480, specifying the dates by which all sources will be in compliance with applicable portions of the control strategy, have not been adopted.

§ 52.477 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b) of this chapter are not met since the episode criteria, public notification, and emission reduction plan are presented in Section 8-2.719 of the proposed "Air Quality Control Regulations of the District of Columbia," which has not been adopted, making the District's contingency plan unenforceable.

(b) The requirements of § 51.16(c) of this chapter are not met since the District of Columbia cannot require specific legally enforceable emission control action programs from stationary sources emitting 100 tons per year or more of any pollutant for which the Administrator has designated significant harm levels under § 51.16(a) of this chapter.

§ 52.478 Review of new sources and modifications.

(a) The requirements of §§ 51.18 and 51.22 of this chapter are not met since the regulations specifying procedures for the review of new sources and modifications have not been adopted.

§ 52.479 Source surveillance.

(a) The requirements of §§ 51.19(e) and 51.22 of this chapter are not met since the plan did not contain adopted regulations requiring owners or operators of stationary sources to maintain records of, and periodically submit information on, the nature and amounts of emissions from such stationary sources to the District of Columbia.

§ 52.480 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since the following emission limitations of the proposed "Air Quality Control Regulations of the District of Columbia," which were a part of the approved control strategy, have not been adopted:

(1) 8-2.710 Process Emissions
 (2) 8-2.711 Open Burning
 (3) 8-2.712 Control of Fugitive Dust
 (4) 8-2.713 Visible Emissions
 (5) 8-2.714 Exhaust Emissions

§ 52.481 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in the District of Columbia's plan, except where noted.

Air quality control region	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
National Capital Interstate	<u>2</u>	<u>2</u>	<u>2</u>	<u>July 1975</u>	<u>July 1975</u>

Note.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.
 a. Three years from plan approval or promulgation.

§ 52.482 Transportation and land-use controls.

To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the mayor of the District of Columbia must submit to the Administrator:

(a) No later than February 15, 1973, a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control strategy by 1975.

(b) No later than July 30, 1973, the legislative authority that is needed for carrying out the required transportation control strategy.

(c) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control strategy.

Subpart K—Florida

§ 52.520 Identification of plan.

(a) Title of plan: "State of Florida Air Implementation Plan."
 (b) The plan was officially submitted on January 27, 1972.

(c) Supplemental information was submitted on April 10 and May 5, 1972, by the State of Florida Department of Pollution Control.

§ 52.521 Classification of regions.

The Florida plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	I	I	III	III	I
Jacksonville (Florida)-Brunswick (Georgia) Interstate	I	II	III	III	I
West Central Florida Interstate	I	I	I	III	III
Central Florida Interstate	II	III	III	III	III
Southwest Florida Interstate	III	III	III	III	III
Southeast Florida Interstate	II	III	I	III	III

§ 52.522 Approval status.

The Administrator approves Florida's plan for the attainment and maintenance of the national standards.

§ 52.523 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Florida's plan, except where noted.

Note.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. Three years from plan approval or promulgation.

Air quality control region	Air quality control region						Pollutant	Pollutant			
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)	
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	July 1975 July 1975	July 1975 July 1975	July 1975 July 1975	c c	July 1975			I	II	III	
Jacksonville (Florida)-Brunswick (Georgia) Interstate	July 1975 July 1975	b b	July 1975 July 1975	c c	July 1975			I	I	III	
West Central Florida Intrastate	July 1975 July 1975	July 1975 July 1975	July 1975 July 1975	a c	c			I	II	III	
Central Florida Intrastate	b b	July 1975 July 1975	c c	c c	c			I	III	III	
Southwest Florida Intrastate	c c	c c	c c	c c	c			I	III	III	
Southeast Florida Intrastate	b b	July 1975 July 1975	c c	a c	c			II	III	III	
<i>Note.—Footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.</i>											
<i>a. Three years from plan approval or promulgation.</i>											
<i>b. Air quality levels presently below primary standards.</i>											
<i>c. Air quality levels presently below secondary standards.</i>											

Subpart L—Georgia

§ 52.570 Identification of plan.

- (a) Title of plan: "Implementation Plan for Attainment of State and National Ambient Air Standards."
- (b) The plan was officially submitted on January 27, 1972.
- (c) Supplemental information was submitted on:
 - (1) March 28, 1972, by the Assistant Attorney General, and
 - (2) February 14, March 9, and May 5, 1972, by the Director of the Air Quality Control Branch, Georgia Department of Health.

§ 52.571 Classification of regions.

The Georgia plan was evaluated on the basis of the following classifications:

§ 52.572 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Georgia's plan for the attainment and maintenance of the national standards.

§ 52.573 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Metropolitan Atlanta Intrastate Region.

§ 52.574 Source surveillance.

(a) The requirements of § 51.19(a) are not met since the plan does not provide for procedures for requiring owners or operators of stationary sources to maintain records of, and periodically report to the State information on, the nature and amounts of emissions from such sources.

§ 52.575 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Georgia's plan, except where noted.

RULES AND REGULATIONS

§ 52.622 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submittal of the plan for attainment and maintenance of the secondary standards for particulate matter in the State of Hawaii region.

§ 52.623 Approval status.
With the exceptions set forth in this subpart, the Administrator approves Hawaii's plan for the attainment and maintenance of the national standards. The State included various provisions in its plan to provide for the attainment of State ambient air quality standards. As described in the Governor's letters of January 28, May 8, and May 22, 1972, these provisions were included for information purposes only and were not to be considered a part of the plan to implement national standards. Accordingly, these additional provisions are not considered a part of the applicable plan.

§ 52.624 General requirements.

With the exceptions set forth in this chapter are not met since the State lacks the legal authority to make emission data, as correlated with allowable emissions, available to the public.

§ 52.625 Legal authority.

(a) The requirements of § 51.11(a)(3) of this chapter are not met since the State's authority to abate emergencies is inadequate.
(b) The requirements of § 51.11(a)(5) of this chapter are not met since the State's authority to require recordkeeping and reporting is inadequate. Section 322-64(4) of the State of Hawaii Air Pollution Control Law limits such requirements to certain sources.

(c) The requirements of § 51.11(a)(6) of this chapter are not met since the State's authority to require installation of emission monitoring devices and authority to make emission data available to the public are inadequate.

§ 52.626 Compliance schedules.

(a) The requirements of § 51.15(a)(2) of this chapter are not met since the plan does not provide a legally enforceable final date by which all individual source compliance schedules must be negotiated.

§ 52.627 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not contain legally enforceable procedures for requiring stationary sources to maintain records of, and periodically report to the State on the nature and amount of emissions.

§ 52.628 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Hawaii's plan, except where noted.

Subpart M—Hawaii

§ 52.620 Identification of plan.

(a) Title of plan: "State of Hawaii Air Pollution Control Implementation Plan".
(b) The plan was officially submitted on January 28, 1972.
(c) Supplemental information was submitted on:
(1) April 4, 1972, by the Department of Health,
(2) May 8 and May 22, 1972.

§ 52.621 Classification of regions.
The Hawaii plan was evaluated on the basis of the following classifications:

Air quality control region	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
State of Hawaii	II	III	III	III	III

Note.—The footnote which is underlined is proposed by the Administrator because the plan did not provide a specific date for attainment.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below primary standards.

c. Air quality levels presently below secondary standards.

Air quality control region	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
State of Hawaii	<u>a</u>	b	c	c	c

Note.—The footnote which is underlined is proposed by the Administrator because the plan did not provide a specific date.

a. 3 years from plan approval or promulgation.

b. 18-month extension granted.

c. Air quality levels presently below secondary standards.

RULES AND REGULATIONS

Subpart N—Idaho**§ 52.676 Control strategy: Sulfur oxides—Eastern Washington-Northern Idaho Interstate Region.****§ 52.670 Identification of plan.**

(a) Title of plan: "Idaho Air Quality Implementation Plan."

(b) The plan was officially submitted on January 31, 1972.

(c) Supplemental information was submitted on:

(1) February 23 and April 12, 1972, by the Idaho Air Pollution Control Commission, and

(2) March 2 and May 5, 1972.

§ 52.671 Classification of regions.

The Idaho plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Eastern Idaho Intra-state	I	IA	III	III	III	III
Eastern Washington-Northern Idaho Interstate	I	IA	III	I	I	III
Idaho Intra-state	I	III	III	III	III	III
Metropolitan Boise Intra-state	II	III	III	III	III	III

§ 52.672 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Idaho's plan for the attainment and maintenance of the secondary standards for sulfur oxides in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region and of the secondary standards for particulate matter in all regions in Idaho.

§ 52.673 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Idaho's plan for the attainment and maintenance of the national standards.

§ 52.674 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since the authority to release emission data to the public could be precluded in certain circumstances by section 39-2024 of the Idaho Code Annotated.

(b) Delegation of Authority. Pursuant to section 114 of the Act, Idaho requested a delegation of authority to enable it to collect, correlate, and release emission data to the public. The Administrator has determined that Idaho is qualified to receive a delegation of the authority at requested. Accordingly, the Administrator delegates to Idaho his authority under section 114(a) (1) and (2), and section 114(c) of the Act, i.e., authority to collect, correlate, and release emission data to the public.

§ 52.675 Control strategy: Sulfur oxides—Eastern Idaho Intra-state Region.

(a) The requirements of § 51.13 of this chapter are not met in the Eastern Idaho Intra-state Region since the plan does not provide for the necessary emission reductions for the attainment and maintenance of the national standards for sulfur oxides.

§ 52.677 Compliance schedules.

(a) The requirements of § 51.15(a)(1) of this chapter are not met since the compliance schedules for the control of sulfur oxides from the sulfuric acid plant in the Eastern Idaho Intra-state Region and for the control of sulfur oxides from the lead and zinc smelter in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region are not legally enforceable.

§ 52.678 Air quality surveillance.

(a) The requirements of § 51.17(c) of this chapter are not met since the plan does not provide for monitoring of air quality during emergency episodes within 1 year of plan approval.

§ 52.679 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the definition of "New Source" in A—General Provision, Section 2 of the Rules and Regulations for the Control of Air Pollution in Idaho precludes certain modified sources from review.

(b) The requirements of § 51.18(d) of this chapter are not met since there are no legally enforceable procedures which provide that approval of construction will not relieve source owners and operators from responsibility to comply with other applicable portions of the control statute.

§ 52.680 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information in Idaho's plan, except where noted.

Air quality control region	Particulate matter		Sulfur oxides		Nitrogen dioxide		Carbon monoxide		Photochemical oxidants (hydrocarbons)	
	PrI-Secondary	Mary dary	PrI-Secondary	Mary dary	PrI-Secondary	Mary dary	PrI-Secondary	Mary dary	PrI-Secondary	Mary dary
Eastern Idaho Intra-state	—	b	—	a	b	c	c	c	c	c
Eastern Washington-Northern Idaho Interstate	—	b	—	a	b	c	c	c	c	c
Idaho Intra-state	—	b	—	a	b	c	c	c	c	c
Metropolitan Boise Intra-state	—	b	—	a	b	c	c	c	c	c

Note.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.

a. 3 years from plan approval or promulgation.

b. 18-month extension granted.

c. Air quality levels presently below secondary standards.

RULES AND REGULATIONS

§ 52.722 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Illinois' plan for the attainment and maintenance of the national standards.

§ 52.723 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b) of this chapter are not met since the criteria in the plan for sulfur dioxide and particulate matter product and carbon monoxide do not prevent reaching the "significant harm" levels established by the Administrator in § 51.16(a) of this chapter. Also, no criteria levels were established by the State for particulate matter, photochemical oxidants, and nitrogen dioxide. Rules 103 and 110, Part I, Chapter 3 of the Illinois Pollution Control Board Rules and Regulations, as amended on November 24, 1970, are disapproved.

(b) The requirements of § 51.16(c) of this chapter are not met since the plan requires emission control action programs from only certain types and sizes of sources of sulfur oxides and particulate matter and not for all sources emitting 100 tons per year or more of any pollutant for which a region is classified Priority I. Rule 111, Part I, Chapter 3 of the Illinois Pollution Control Board Rules and Regulations, as amended on November 24, 1970, is disapproved.

§ 52.724 Resources.

(a) The requirements of § 51.20 of this chapter are not met since the plan does not provide a description of the resources available to the State and any additional resources needed to carry out the plan within the city limits of Chicago.

§ 52.725 Intergovernmental cooperation.

(a) The requirements of § 51.21 of this chapter are not met since the Department of Environmental Control for the city of Chicago has not agreed to perform the duties outlined for it in the plan.

§ 52.726 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since the particulate matter fuel combustion emission limitation in Chapter 2, Part II, Rule 203(g)(1) of the Illinois Pollution Control Board Rules and Regulations, which is necessary for attainment and maintenance of the national standards for particulate matter and sulfur oxides in the Illinois portion of the Metropolitan Chicago Interstate Region, is not enforceable by the State agency on residential and commercial solid fuel users.

§ 52.727 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Illinois' plan.

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Burlington-Keokuk Interstate	I	I	III	III	III
East Central Illinois Intrastate	III	II	III	III	III
Metropolitan Chicago Interstate (Indiana-Illinois)	I	I	I	I	I
Metropolitan Dubuque Interstate	I	III	IA	III	III
Metropolitan Quad Cities Interstate	I	III	III	III	III
Metropolitan St. Louis Interstate (Missouri-Illinois)	I	I	I	I	I
North Central Illinois Intrastate	II	IA	III	III	III
Paducah (Kentucky)-Cairo (Illinois) Interstate	I	II	III	III	III
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate	II	III	III	III	III
Southeast Illinois Intrastate	III	II	III	III	III
West Central Illinois Intrastate	I	IA	III	III	III

Subpart O—Illinois**§ 52.720 Identification of plan.**

(a) Title of plan: "State of Illinois Air Pollution Implementation Plan."

(b) The plan was officially submitted on January 31, 1972.

(c) Supplemental information was submitted on:

(1) March 13 and April 18, 1972, by the Illinois Environmental Protection Agency, and

(2) May 4, 1972.

§ 52.721 Classification of regions.

The Illinois plan was evaluated on the basis of the following classifications:

Subpart P—Indiana

§ 52.770 Identification of plan.

(a) Title of plan: "State of Indiana Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 31, 1972.

(c) Supplemental information was submitted on:

(1) March 16, 1972, by the Indiana Air Pollution Control Board, and
 (2) April 11, May 1 and 16, 1972.

§ 52.771 Classification of regions.

The Indiana plan was evaluated on the basis of the following classifications:

Air quality control region	Particulate matter ^a	Sulfur oxides ^b	Nitrogen dioxide ^b	Carbon monoxide ^b	Photocchemical oxidants (hydrocarbons)	Pollutant						
						Pri-mary	Seco-dary	Seco-dary	Particulate matter	Sulfur dioxide	Nitrogen dioxide	Carbon monoxide
Burlington-Keokuk Interstate	July 1975 b	July 1975 July 1975 b	July 1975 b	July 1975 b	July 1975							
East Central Illinois Interstate	July 1975 b	July 1975 July 1975 b	July 1975 b	July 1975 b	July 1975,c							
Metropolitan Chicago Interstate (Indiana-Illinois)	July 1975 b	July 1975 July 1975 b	July 1975 b	July 1975 b	July 1975							
Metropolitan Dubuque Interstate	July 1975 b	July 1975 July 1975 b	July 1975 b	July 1975 b	July 1975							
Metropolitan St. Louis Interstate (Missouri-Illinois)	July 1975 b	July 1975 July 1975 a	July 1975 b	July 1975 b	July 1975							
North Central Illinois Interstate	July 1975 b	July 1975 July 1975 b	July 1975 b	July 1975 b	July 1975							
Paducah (Kentucky)-Cairo (Illinois) Interstate	July 1975 b	July 1975 July 1975 a	July 1975 b	July 1975 b	July 1975							
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate	July 1975 b	July 1975 July 1975 b	July 1975 b	July 1975 b	July 1975							
Southeast Illinois Interstate	July 1975 b	July 1975 July 1975 b	July 1975 b	July 1975 b	July 1975							
West Central Illinois Interstate	July 1975 b	July 1975 July 1975 b	July 1975 b	July 1975 b	July 1975							

a. Air quality levels presently below primary standards.

b. Air quality levels presently below secondary standards.

c. Transportation control strategy is to be submitted no later than Feb. 15, 1973.

§ 52.728 Transportation controls.

(a) To complete the requirements of §§ 61.11(b) and 61.14 of this chapter, the Governor of Illinois must submit to the Administrator:

- (1) No later than February 15, 1973, the selection of the appropriate transportation control alternatives and a demonstration that said alternatives, along with Illinois' presently adopted stationary source emission limitations for carbon monoxide and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide in the Illinois portion of the Metropolitan Chicago Interstate by 1975. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternatives by 1975.
- (2) No later than July 30, 1973, the legislative authority that is needed for carrying out the required transportation control alternatives.
- (3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

§ 52.729 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Indiana's plan for attainment and maintenance of the secondary standards for sulfur oxides and particulate matter in the Indiana portion of the Metropolitan Chicago Interstate and for 9 months for sulfur oxides in the Indianapolis Indianapolis Intrastate Region.

RULES AND REGULATIONS

(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide and photochemical oxidants in the Metropolitan Indianapolis Intrastate Region.

§ 52.773 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Indiana's plan for attainment and maintenance of the national standards.

§ 52.774 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.775 Legal authority.

(a) The requirements of § 51.11(f) of this chapter are not met since the following deficiencies exist in the local agency legal authority:

(1) East Chicago:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(2) Evansville:

(i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(3) Gary:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(4) Hammond:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(5) Indianapolis:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(6) Michigan City:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to make inspections and conduct tests of air pollution sources is inadequate (§ 51.11(a)(5) of this chapter).

(7) Wayne County:

(i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(8) Lake County:
 (i) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).
 (ii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(9) St. Joseph County:

(i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(10) Vigo County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).
 (ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).
 (iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(11) Anderson County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).
 (ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).
 (iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(12) Elkhart County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).
 (ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).
 (iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(13) Kosciusko County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).
 (ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).
 (iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(14) Parke County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(15) Ripley County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(16) Steuben County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(17) Wabash County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(18) Whitley County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(19) White County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(20) Kosciusko County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(21) Elkhart County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(22) Steuben County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(23) Ripley County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(24) Wabash County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

Air quality control region	Particulate matter Pri- primary	Sulfur oxides Pri- primary	Nitrogen dioxide Pri- primary	Sul- dary	Pollutant
East Central Indiana Intrastate Evansville (Indiana)- Owensboro-Henderson (Kentucky) Inter- state	2	2	2	2	e
Louisville Interstate	2	2	2	2	e
Metropolitan Chicago Interstate (Indiana-Illinois)	2	2	2	2	e
Metropolitan Cincinnati Interstate	2	2	2	2	e
Metropolitan Indianapolis Intra- state	2	2	2	2	e
Northeast Indiana Intra- state	2	2	2	2	b
South Bend-Elkhart (Indiana-Benton Harbor (Michigan) Interstate	2	2	2	2	e
Southern Indiana Intra- state	2	2	2	2	e
Wabash Valley Intra- state	2	2	2	2	e

Note.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. Three years from plan approval or promulgation.

b. Five years from plan approval or promulgation.

c. Supplemental information was submitted on:

d. Air quality levels presently below the primary standards.

e. Air quality levels presently below the secondary standards.

f. Nine-month extension granted.

Subpart Q—Iowa

- § 52.820 Identification of plan.
- (a) Title of plan: "State of Iowa Air Pollution Control Implementation Plan."
- (b) The plan was officially submitted on January 27, 1972.
- (c) Supplemental information was submitted on:
- (1) February 2 and March 2, 1972, by the Iowa Department of Health, and
- (2) May 4, 1972.
- § 52.821 Classification of regions.
- The Iowa plan was evaluated on the basis of the following classifications:

(b) The requirements of § 51.17(b) (4) of this chapter are not met since the plan does not give any indication of the existence of the necessary laboratory analytical capability.

(c) The requirements of § 51.17(b) (5) of this chapter are not met since the plan contains an incomplete description of the air quality data, handling, and analysis procedures.

(d) The requirements of § 51.17(c) of this chapter are not met since the monitoring stations selected for use during any air pollution emergency episode stage are not to be in operation within 1 year after the date of the Administrator's approval of the plan.

§ 52.780 Review of new sources and modifications.

(a) The requirements of § 51.18(a) of this chapter are not met since the plan does not contain adequate procedures to enable the State to determine whether construction or modification of stationary sources will result in violations of applicable portions of the control strategy and APC-1 of Indiana's "Air Pollution Control Regulations" is disapproved.

(b) The requirements of § 51.18(c) of this chapter are not met since the plan does not have legally enforceable procedures that include a means of disapproving construction or modification of stationary sources.

(c) The requirements of § 51.18(d) of this chapter are not met since the plan does not indicate that approval of any construction or modification shall not affect the responsibility of the owner or operator of a source to comply with applicable portions of the control strategy.

§ 52.781 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since the emission limitations for fuel combustion sources, which are necessary for attainment and maintenance of the primary standards for particulate matter in the Indiana portion of the Metropolitan Chicago Interstate Region, have not been adopted and are not enforceable by the State agency.

(b) A part of the second sentence in section 2, APC-15; section 1, APC-16; and section 3, APC-17, which states: "Where there is a violation or potential violation of ambient air quality standards, existing emission sources or any existing air pollution control equipment shall comply with this regulation or any existing air pollution control equipment shall comply with this regulation" is disapproved since it makes the regulations unenforceable by the State agency.

(c) A part of the third sentence of section 3(l), APC-13, which states: ". . . or a combination of fuels for averaging emissions may be used to comply with this regulation." is disapproved since it makes the regulation unenforceable by the State agency.

(d) The first two sentences of section 4, APC-13, which state: "For existing sources, the Board shall require corrective action when sulfur dioxide emissions contribute to a violation of the Ambient Air Quality Standards. When the Board designates a region as not meeting the Ambient Air Quality Standards, it has the authority to require all sources in that region to comply with the provisions of this regulation," are disapproved since they make the regulation unenforceable by the State agency.

§ 52.782 Request for 18-month extension.

(a) The requirements of § 51.31(c) of this chapter are not met since the request for an 18-month extension for submitting that portion of the plan that implements the secondary standards for particulate matter in the Metropolitan Indianapolis Intrastate Region does not show that attainment of the secondary standards will require emission reductions exceeding those which can be achieved through the application of reasonably available control technology.

§ 52.783 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Indiana's plan, except where noted.

RULES AND REGULATIONS

(a) The requirements of § 51.15(c) of this chapter are not met since increments of progress toward compliance are not provided for in the Iowa Remediation 4.3

§ 52.826 Source surveillance.
(a) The requirement of § 51.19(a) of this chapter is not met since the plan does not provide legally enforceable procedures to require owners or operators of stationary sources to maintain records and make periodic reports to the State on the nature and amount of emissions.

§ 52.827 Attainment dates for national standards.
The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Iowa's plan, except where noted.

卷之三

卷之三

52.822 Approval status. With the exceptions set forth in this subparagraph, the Administrator approves Iowa's plan for the attainment and maintenance of the national standards.

Edu 8003 Com I

General Requirements.

(a) The requirements of § 51.

does not set forth procedures by which it will make available

Habitations Will Be Made Available

52.824 Legal authority.

(a) The requirements of § 51 -

(g) The requirements of section 111(d) of the Iowa Air Pollution Control Act

on the public in certain circumstances.

גנדי

b. Air quality levels present or below prime standards.

C. After defining relevant measures presented below it is necessary to decide

卷之三

WEDNESDAY MAY 31 - 1972

תְּלִימָדָה

FEDERAL REGISTER, VOL. 37, NO. 105—WEDNESDAY, MAY 31, 1972

RULES AND REGULATIONS

§ 52.874 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since authority to make emission data available to the public is inadequate. Kansas Statutes Annotated 65-3016 would require confidential treatment if the data related to processes or production unique to the owner or would tend to affect adversely the competitive position of the owner.

(b) The requirements of § 51.11(f) of this chapter are not met since the following deficiencies exist in the local agency legal authority:

(1) *Kansas City, Kans.-Wyandotte County Health Department.* (1) Authority to make emission data available to the public is inadequate because the Kansas Statutes Annotated 65-3016 provides a designated local air quality conservation authority with the same authority as the State (§ 51.11(a)(6) of this chapter).

(2) *Topeka-Shawnee County Health Department.* (1) Authority to make emission data available to the public is inadequate because the Kansas Statutes Annotated 65-3016 provides a designated air quality conservation authority with the same authority as the State (§ 51.11(a)(6) of this chapter).

(3) *Wichita-Sedgewick County Health Department.* (1) Authority to make emission data available to the public is inadequate because the Kansas Statutes Annotated 65-3016 provides a designated local air quality conservation authority with the same authority as the State (§ 51.11(a)(6) of this chapter).

§ 52.875 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide procedures for making emission data, as correlated with applicable emission limitations, available to the public.

§ 52.876 Compliance schedules.

(a) The requirements of § 51.15(a)(1) and (a)(2) of this chapter are not met since the plan does not contain legally enforceable compliance schedules setting forth the dates by which all stationary sources or categories of such sources must be in compliance with applicable portions of the control strategy. Kansas Regulation 28-19-9 specifies that all sources not in compliance must submit an acceptable compliance schedule within 180 days after receiving notification from the state. There are no assurances that all sources will be notified by the state in a timely manner, therefore, Regulation 28-19-9 is disapproved.

§ 52.877 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b)(1) of this chapter are not met since the plan does not specify adequate episode criteria. The episode criteria are set forth in State Regulation 28-19-56 which is therefore disapproved.

§ 52.878 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the plan does not provide legally enforceable procedures for preventing construction of sources which will interfere with the attainment or maintenance of all national standards.

§ 52.879 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Kansas' plan, except where noted.

Subpart R—Kansas**§ 52.870 Identification of plan.**

(a) Title of plan: "State of Kansas Implementation Plan for the Attainment and Maintenance of National Air Quality Standards."

(b) The plan was officially submitted on January 31, 1972.

(c) Supplemental information was submitted on March 24, 1972, by the Kansas Department of Health.

§ 52.871 Classification of regions.

The Kansas plan was evaluated on the basis of the following classifications:

Air quality control region	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photocchemical oxidants (hydrocarbons)
Metropolitan Kansas City Interstate	I	III	III	I	I
South Central Kansas Intra-state	I	III	III	III	III
Northeast Kansas Intra-state	I	III	III	III	III
Southeast Kansas Intra-state	III	III	III	III	III
North Central Kansas Intra-state	I	III	III	III	III
Northwest Kansas Intra-state	I	III	III	III	III
Southwest Kansas Intra-state	I	III	III	III	III

§ 52.872 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Kansas portion of the Metropolitan Kansas City Interstate Region.

§ 52.873 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Kansas' plan for the attainment and maintenance of the national standards.

RULES AND REGULATIONS

Air quality control region	Pollutant						Pollutant			
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	photochemical oxidants (hydrocarbons)	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	photochemical oxidants (hydrocarbons)
Kansas City Interstate	a	a	c	c	b	a	III	III	III	III
South Central Kansas Interstate	a	a	c	c	c	a	III	III	III	III
Northeast Kansas Interstate	a	a	c	c	c	c	II	III	III	III
Southeast Kansas Interstate	c	c	c	c	c	c	I	II	III	III
North Central Kansas Interstate	a	a	c	c	c	c	I	III	III	III
Northwest Kansas Interstate	a	a	c	c	c	c	I	II	II	II
Southwest Kansas Interstate	a	a	c	c	c	c	III	III	III	III

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.

- a. 3 years from plan approval or promulgation.
- b. 5 years from plan approval or promulgation.
- c. Air quality levels presently below secondary standards.

Subpart S—Kentucky

§ 52.920 Identification of plan.

- (a) Title of plan: "Implementation Plan for the Attainment and Maintenance of the National and State Ambient Air Quality Standards."
- (b) The plan was officially submitted on February 8, 1972.
- (c) Supplemental information was submitted on:
 - (1) March 6 and May 3, 1972, by the Kentucky Air Pollution Control Office, and
 - (2) March 17, 1972.

§ 52.921 Classification of regions.

The Kentucky plan was evaluated on the basis of the following classifications:

§ 52.922 Extensions.

The Administrator hereby extends for 2 years the attainment date for the primary standards for sulfur oxides in the Louisville portion of the Louisville Interstate Region.

§ 52.923 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Kentucky's plan for the attainment and maintenance of the national standards.

§ 52.924 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since K.R.S. 224.380 of the Air Pollution Control Law of the Commonwealth of Kentucky (June 18, 1970) does not provide for the release, under certain circumstances, of emission data to the public.

Air quality control region	Pollutant	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Southern Louisiana-South-east Texas Interstate	II	I	III	III	III	I
Shreveport-Texarkana-Taylor Interstate	II	III	III	III	III	III
Monroe-El Dorado Interstate	II	III	III	III	III	III

§ 52.925 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.926 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Kentucky's plan, except where noted.

Air quality control region	Pollutant	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Appalachian Interstate	April 1, 1975	c	c	c	c	c
Bluegrass Interstate	b April 1, 1975	c	c	c	c	c
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate	April 1, 1975	b July 1978	c	c	c	c
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Fronton (Ohio) Interstate	April 1, 1975	c	c	c	c	c
Louisville Interstate	April 1, 1975	July 1977	2	2	April 1, 1975	
Metropolitan Cincinnati Interstate	April 1, 1975	b	2	2	April 1, 1975	
North Central Kentucky Interstate	b April 1, 1975	c	c	c	c	c
Paducah (Kentucky)-Caro (Illinois) Interstate	April 1, 1975	b July 1978	c	c	c	c
South Central Kentucky Interstate	c	c	c	c	c	c

Note.—Dates or footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date or the date provided is not acceptable.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below primary standards.

c. Air quality levels presently below secondary standards.

Subpart T—Louisiana

§ 52.970 Identification of plan.

(a) Title of plan: "The Louisiana Air Control Commission Implementation Plan."

(b) The plan was officially submitted on January 28, 1972.

(c) Supplemental information was submitted on February 28 and May 8, 1972, by the Louisiana Air Control Commission.

§ 52.971 Classification of regions.

The Louisiana plan was evaluated on the basis of the following classifications:

§ 52.972 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Louisiana's plan for attainment and maintenance of the national standards.

§ 52.973 Control strategy and regulations: Photochemical oxidants (hydrocarbons).

(a) The requirements of §§ 51.14(a) and 51.22 of this chapter are not met since the control strategy for photochemical oxidants (hydrocarbons) in the Southern Louisiana-Southeast Texas Interstate Region has no regulatory effect because there is no enforceable obligation upon any pollution source.

§ 52.974 Emergency episodes and regulations.

(a) The requirements of §§ 51.16(b)(1) and 51.22 of this chapter are not met since the State's episode criteria, which are contained in section 27.3 of Regulation 27.0, Prevention of Air Pollution Emergency Episodes, are inadequate. Therefore, section 27.3 of Regulation 27.0 is disapproved.

(b) The requirements of § 51.16(f) of this chapter are not met since the plan does provide a timetable for developing emergency contingency plans.

§ 52.975 Air quality surveillance.

(a) The requirements of § 51.17(a)(2) of this chapter are not met since the plan does not provide for location of at least one sampling site in the areas of estimated maximum pollutant concentration.

(b) The requirements of § 51.17(b)(1) of this chapter are not met since the plan lacks sufficient detail to judge the design strategy of the sampling network.

(c) The requirements of § 51.17(b)(4) of this chapter are not met since the plan gives no indication of the existence of the necessary laboratory analytical capability.

(d) The requirements of § 51.17(b)(6) of this chapter are not met since the plan is incomplete in its description of the monitoring data handling and analysis.

(e) The requirements of § 51.17(b)(6) of this chapter are not met since the timetable for installation of new monitoring instruments is incomplete or missing.

§ 52.976 Review of new sources and modifications: Rules and regulations.

(a) The requirements of §§ 51.18(a) and 51.22 of this chapter are not met since section 6.1.2 of Louisiana's Regulation 60 is not legally enforceable. Section 6.1.2 was not adopted according to the provisions of section 2306 of the Louisiana Revised Statutes, Act 289, and is, therefore, disapproved.

§ 52.977 Sources surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not provide legally enforceable procedures for requiring sources to maintain records and periodically report emissions data to the State.

§ 52.978 Resources.

(a) The requirements of § 51.20 of this chapter are not met since the plan does not indicate that adequate manpower and financial resources will be available to operate the State's air pollution control program.

§ 52.979 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Louisiana's plan, except where noted.

Air quality control region	Pollutant					
	Particulate matter	Sulfur oxides	Pri- mary Secon- dary	Pri- mary Secon- dary	Nitrogen dioxide	Carbon monoxide
Southern Louisiana Interstate	a	a	a	b	b	b
Southeast Texas Interstate	a	a	a	b	b	b
Shreveport-Texarkana-Tyler Interstate	a	a	a	b	b	b
Monroe-EI Dorado Interstate	a	a	a	b	b	b

Note.—Footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.

- 3 years from plan approval or promulgation.
- Air quality levels presently below secondary standards.

Subpart U—Maine

§ 52.1020 Identification of plan.

- Title of plan: "Implementation Plan for the Achievement of National Air Quality Standards."
- The plan was officially submitted on January 28, 1972.

§ 52.1021 Classification of regions.

The Maine plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant					
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)	
Metropolitan Port-land Intrastate	I	II	III	III	III	III
Androscoggin Valley Interstate	IA	IA	III	III	III	III
Down East Intrastate	IA	IA	III	III	III	III
Aroostook Intrastate	III	III	III	III	III	III
Northwest Maine Intrastate	III	III	III	III	III	III

§ 52.1022 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Maine's plan for the attainment and maintenance of the national standards.

§ 52.1023 Compliance schedules.

(a) The requirements of § 51.15(c) of this chapter are not met since the plan does not include periodic increments of progress for compliance schedules that extend over a period of 18 months or more for categories of stationary sources.

§ 52.1024 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Maine's plan, except where noted.

Air quality control region	Pollutant					
	Particulate matter	Sulfur oxides	Pri- mary Secon- dary	Pri- primary Secon- dary	Sulfur oxides	Pri- Secon- dary
Metropolitan Port-land Intrastate	a	a	a	a	b	b
Androscoggin Valley Interstate	a	a	a	a	b	b
Down East Intrastate	a	a	a	a	b	b
Aroostook Intrastate	b	b	b	b	b	b
Northwest Maine Intrastate	b	b	b	b	b	b

Note.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.

- 3 years from plan approval or promulgation.
- Air quality levels presently below secondary standards.

Subpart V—Maryland

§ 52.1070 Identification of plans.

- Title of plans:
 - Plan for Implementation of Ambient Air Quality Standards in Cumberland, Maryland-Kenyer, West Virginia, Interstate Air Quality Control Region."
 - "Plan for Implementation of Ambient Air Quality Standards in the Central Maryland Intrastate Air Quality Control Region."
 - "Plan for Implementation of Ambient Air Quality Standards in the Metropolitan Baltimore Intrastate Air Quality Control Region."
 - "Plan for Implementation of Ambient Air Quality Standards in the Maryland portion of the National Capital Interstate Air Quality Control Region."
 - "Plan for Implementation of Ambient Air Quality Standards in the Southern Maryland Intrastate Air Quality Control Region."
 - "Plan for Implementation of Ambient Air Quality Standards in the Eastern Shore Intrastate Air Quality Control Region."
- The plans were officially submitted on January 28, 1972.
- Supplemental information was submitted on February 25, March 3, March 7, April 4, April 28, and May 8, 1972, by the Maryland Bureau of Air Quality Control.

§ 52.1071 Classification of regions.

The Maryland plans were evaluated on the basis of the following classifications:

Air quality control region	Particulate matter	Sulfur oxides	Pollutant	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Cumberland-Keyser Interstate	I	I	III	III	III	III
Central Maryland Interstate	II	II	III	III	III	III
Metropolitan Baltimore Intrastate	I	I	I	I	I	I
National Capital Interstate	I	I	I	I	I	I
Southern Maryland Interstate	III	III	III	III	III	III
Eastern Shore Intrastate	II	III	III	III	III	III

§ 52.1072 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Maryland's plan for attainment and maintenance of the secondary standards for sulfur oxides in the Metropolitan Baltimore Intrastate Region.
 (b) The Administrator hereby extends for 2 years the attainment dates for the national standards for carbon monoxide in the Maryland portion of the National Capital Interstate Region and in the Metropolitan Baltimore Intrastate Region, and for photochemical oxidants in the Maryland portion of the National Capital Interstate Region.

§ 52.1073 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Maryland's plans for the attainment and maintenance of the national standards.

§ 52.1074 Legal authority.

(a) The requirements of § 51.11(a)(4) of this chapter are not met. Authority to prevent construction or modification of power plants where such construction or modification would interfere with attainment or maintenance of a national standard is inadequate.

§ 52.1075 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plans do not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Maryland portion of the National Capital Interstate and in the Metropolitan Baltimore Intrastate Regions.

(b) Sections 04G2 of Maryland's "Regulations Governing the Control of Air Pollution in Area III" (regulation 10.03.38 for the Metropolitan Baltimore Intrastate Region), and "Regulations Governing the Control of Air Pollution in Area IV" (regulation 10.03.39 for the Maryland portion of the National Capital Interstate Region) which are a part of the nitrogen dioxide control strategy are disapproved.

§ 52.1076 Review of new sources and modifications.

(a) The requirements of § 51.18(a) of this chapter are not met since the plans lack legally enforceable procedures to prevent construction and modification of

powerplants when such construction or modification will interfere with the attainment or maintenance of a national standard.

§ 52.1077 Source surveillance.

(a) The requirements of § 51.19(b) of this chapter are not met since the plans do not provide specific procedures for stationary sources to be periodically tested.

§ 52.1078 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Maryland's plans, except where noted.

Air quality control region	Pollutant						Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Particulate matter	Sulfur oxides		
Pri- mary	Secon- dary	Primary	Secondary	Pri- mary	Secon- dary			
Cumberland-Keyser Interstate	I	I	III	III	I	I		
Central Maryland Interstate	II	II	III	III	II	II		
Metropolitan Baltimore Intra-	I	I	I	I	I	I		
state								
National Capital Interstate	I	I	I	I	I	I		
Southern Maryland Interstate	III	III	III	III	III	III		
Eastern Shore Intra-	II	III	III	III	III	III		
state								

Note.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
 b. 18-month extension granted.
 c. Air quality levels presently below primary standards.
 d. Air quality levels presently below secondary standards.
 e. Transportation control strategy is to be submitted no later than Feb. 15, 1973, with the first semiannual report.

§ 52.1079 Transportation and land-use controls.

(a) To complete the requirements of §§ 61.11(b) and 61.14 of this chapter, the Governor of Maryland must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternatives and a demonstration that said alternatives, along with Maryland's presently adopted stationary source emission limitations for carbon monoxide and hydrocarbons and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide in the Metropolitan Baltimore Intrastate Region and in the Maryland portion of the National Capital Interstate Region and for photochemical oxidants in the Maryland portion of the National Capital Interstate Region by 1977. By this date February 15, 1973, the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the required transportation control alternatives by 1977.

(2) No later than July 30, 1974, the legislative authority that is needed for carrying out the required transportation control alternatives.

(3) No later than December 30, 1974, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

RULES AND REGULATIONS

through the application of reasonably available control technology in the Massachusetts portion of the Hartford-New Haven-Springfield Region.

Subpart W—Massachusetts**§ 52.1120 Identification of plan.**

- (a) Title of plan: "Plan for Implementation, Maintenance, and Enforcement of National Primary and Secondary Ambient Air Quality Standards."
- (b) The plan was officially submitted on January 27, 1972.
- (c) Supplemental information was submitted on:

(1) February 22 and May 5, 1972, by the Bureau of Air Quality Control, Massachusetts Department of Public Health.

(2) April 27, 1972, by the Division of Environmental Health, Massachusetts Department of Public Health.

§ 52.1121 Classification of regions.

The Massachusetts plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant					
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Carbon photochemical oxidants (hydrocarbons)	
Metropolitan Boston Intrastate	I	I	I	I	I	
Merrimack Valley-Southern New Hampshire Interstate	I	I	III	III	III	
Metropolitan Providence Interstate	I	I	I	III	III	
Central Massachusetts Intrastate	I	II	I	III	III	
Hartford-New Haven-Springfield Interstate	I	I	I	I	I	
Berkshire Intrastate	II	III	III	III	III	

§ 52.1122 Extensions.

- (a) The Administrator hereby extends for 18 months the statutory timetable for submission of Massachusetts' plan for attainment and maintenance of the secondary standards for particulate matter and sulfur oxides in the Metropolitan Boston Intrastate Region.
- (b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Massachusetts portion of the Hartford-New Haven-Springfield Intrastate Region and for carbon monoxide and photochemical oxidants in the Metropolitan Boston Intrastate Region.

§ 52.1123 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the Massachusetts plan for attainment and maintenance of the national standards.

§ 52.1124 Control strategy: Nitrogen dioxide.

- (a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable

§ 52.1125 Compliance schedule.

- (a) The requirements of § 51.15(a)(2) of this chapter are not met since the plan precludes negotiation, finalization, and submission to the Administrator of all individual compliance schedules by the first semiannual report. Therefore, sections 2 and 5 of Massachusetts' "Regulations for the Control of Air Pollution in the Metropolitan Boston Air Pollution Control District," "Regulations for the Control of Air Pollution in the Berkshire Air Pollution Control District," "Regulations for the Control of Air Pollution in the Pioneer Valley Air Pollution Control District," "Regulations for the Control of Air Pollution in the Central Massachusetts Air Pollution Control District," "Regulations for the Control of Air Pollution in the Merrimack Valley Air Pollution Control District," and "Regulations for the Control of Air Pollution in the Southeastern Massachusetts Air Pollution Control District" are disapproved.

§ 52.1126 Review of new sources and modifications.

- (a) The requirements of § 51.18(c) of this chapter are not met since the plan does not provide legally enforceable procedures to prevent construction and modification of stationary sources if such construction or modification will result in violation of applicable portions of a control strategy.

§ 52.1127 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Massachusetts' plan, except where noted.

Air quality control region	Pollutant		Particulate matter Pri- Seco- dary	Pollutant		July 1977, f
	Particulate matter Pri- ary	Sulfur oxides Pri- ary		Nitrogen dioxide Pri- Seco- dary	Carbon monoxide Pri- ary	
Metropolitan Boston Intrastate	I	I	I	I	I	
Merrimack Valley-Southern New Hampshire Interstate	I	I	III	III	III	
Metropolitan Providence Interstate	I	I	I	III	III	
Central Massachusetts Intrastate	I	II	I	III	III	
Hartford-New Haven-Springfield Interstate	I	I	I	I	I	
Berkshire Intrastate	II	III	III	III	III	
Metropolitan Boston Intrastate	I	I	I	I	I	
Merrimack Valley-Southern New Hampshire Interstate	I	I	I	I	I	
Metropolitan Providence Interstate	I	I	I	I	I	
Central Massachusetts Intrastate	I	I	I	I	I	
Hartford-New Haven-Springfield Interstate	I	I	I	I	I	
Berkshire Intrastate	I	I	I	I	I	

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. 5 years from plan approval or promulgation.

c. 18-month extension granted.

d. Air quality levels presently below primary standards.

e. Air quality levels presently below secondary standards.

f. Transportation control strategy is to be submitted no later than Feb. 15, 1973, with the first semiannual report.

§ 52.1128 Transportation and land use controls.

(a) To complete the requirements of §§ 61.11(b) and 61.14 of this chapter, the Governor of Massachusetts must submit to the Administrator:

- (1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative along with Massachusetts' presently adopted stationary source emission limitations for hydrocarbons and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for photochemical oxidants and carbon monoxide in the Metropolitan Boston Intrastate Region. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternative by 1977.

- (2) No later than June 30, 1974, the legislative authority that is needed for carrying out the required transportation control alternative.

- (3) No later than December 30, 1974, the necessary adopted regulations and administrative policies needed to implement the transportation control alternative.

Subpart X—Michigan**§ 52.1170 Identification of plan.**

(a) Title of plan: "Implementation Plan for the Control of Suspended Particulates, Sulfur Oxides, Carbon Monoxide, Hydrocarbons, Nitrogen Oxides, and Photochemical Oxidants in the State of Michigan."

(b) The plan was officially submitted on February 3, 1972.

(c) Supplemental information was submitted on:

(1) March 3, 1972, by the Department of Public Health, Air Pollution Control Division,

(2) May 4, 1972, by the Department of Environmental Protection, City of Grand Rapids, and

(3) March 30, 1972.

§ 52.1171 Classification of regions.

The Michigan plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				Air quality control region	Pollutant			
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide		Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide
Metropolitan Detroit-Port Huron Intrastate	I	I	I	III	Metropolitan Detroit-Port Huron Intrastate	II	II	II	II
Metropolitan Toledo Interstate	I	I	I	III	Metropolitan Toledo Interstate	II	II	II	II
South Central Michigan Intrastate	II	II	III	III	South Central Michigan Intrastate	II	II	II	II
South Bend-Elkhart (Indiana-Benton Harbor) (Michigan) Interstate	I	IA	III	III	South Bend-Elkhart (Indiana-Benton Harbor) (Michigan) Interstate	II	II	II	II
Central Michigan Intrastate	II	III	I	III	Central Michigan Intrastate	II	II	II	II
Upper Michigan Intrastate	III	III	III	III	Upper Michigan Intrastate	C	C	C	C

§ 52.1172 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Michigan's plan for the attainment and maintenance of the national standards.

§ 52.1173 General requirements.

(a) The requirements of § 61.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.1174 Control strategy: Nitrogen dioxide.

(a) The requirements of § 61.14(c) (3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Metropolitan Detroit-Port Huron and Central Michigan Intrastate Regions and in the Michigan portion of the Metropolitan Toledo Interstate Region.

§ 52.1175 Compliance schedules.

(a) The requirements of § 61.15(a) (2) of this chapter are not met since Rule 336.49 of the Michigan Air Pollution Control Commission provides for individual compliance schedules to be submitted to the State Agency by January 1, 1974. This would not be in time for submittal with the first semiannual report required by § 51.7(b) of this chapter.

§ 52.1176 Review of new sources and modifications.

(a) The requirements of § 61.18(c) of this chapter are not met since the plan does not include a means of disapproving the construction or modification of a stationary source if it will interfere with the attainment or maintenance of a national standard.

§ 52.1177 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Michigan's plan, except where noted.

Air quality control region	Pollutant				Air quality control region	Pollutant			
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide		Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide
Metropolitan Detroit-Port Huron Intrastate	I	I	I	III	Metropolitan Detroit-Port Huron Intrastate	II	II	II	II
Metropolitan Toledo Interstate	I	I	I	III	Metropolitan Toledo Interstate	II	II	II	II
South Central Michigan Intrastate	II	II	III	III	South Central Michigan Intrastate	II	II	II	II
South Bend-Elkhart (Indiana-Benton Harbor) (Michigan) Interstate	I	IA	III	III	South Bend-Elkhart (Indiana-Benton Harbor) (Michigan) Interstate	II	II	II	II
Central Michigan Intrastate	II	III	I	III	Central Michigan Intrastate	II	II	II	II
Upper Michigan Intrastate	III	III	III	III	Upper Michigan Intrastate	C	C	C	C

RULES AND REGULATIONS

Note.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.

- 3 years from plan approval or promulgation.
- Air quality levels presently below primary standards.
- Air quality levels presently below secondary standards.

Subpart Y—Minnesota**§ 52.1220 Identification of plan.**

(a) Title of plan: "Implementation Plan to Achieve National Ambient Air Quality Standards."

(b) The plan was officially submitted on January 28, 1972.

(c) Supplemental information was submitted on February 7, March 27, April 28, and May 2, 1972, by the Minnesota Pollution Control Agency.

§ 52.1221 Classification of regions.

The Minnesota plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Central Minnesota Intraplate	II	III	III	III	III	III
Southeast Minnesota—La Crosse (Wisconsin) Interstate	II	IIa	III	III	III	III
Duluth (Minnesota)—Superior (Wisconsin) Interstate	I	II	III	III	III	III
Metropolitan Fargo—Moorhead Interstate	II	III	III	III	III	III
Minneapolis-St. Paul Intraplate	I	I	I	I	I	I
Northwest Minnesota Intraplate	II	III	III	III	III	III
Southwest Minnesota Intraplate	III	III	III	III	III	III

§ 52.1222 Extensions.

The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Minneapolis-St. Paul Intraplate Region.

§ 52.1223 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Minnesota's plan for the attainment and maintenance of the national standards.

§ 52.1224 General requirements.

- (a) The requirements of § 51.10(e) of this chapter are not met since the definitions of "new" and "existing" in regulation APC-2 of the Minnesota Air Pollution Control Rules, Regulations and Air Quality Standards are inadequate.
- (b) The requirements of § 51.18(d) of this chapter are not met since there is no procedure which provides that approval of any construction or modification shall not affect the responsibility of the owner or operator to comply with applicable portions of the control strategy.

§ 52.1226 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information in Minnesota's plan, except where noted.

Air quality control region	Pollutant	Pollutant			
		Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide
Central Minnesota Intraplate	c	a	d	d	d
Southeast Minnesota—La Crosse (Wisconsin) Interstate	c	a	2	d	d
Duluth (Minnesota)—Superior (Wisconsin) Interstate	2	a	c	d	d
Metropolitan Fargo—Moorhead Interstate	c	a	d	d	d
Minneapolis-St. Paul Intraplate	a	a	a	d	d
Northwest Minnesota Intraplate	c	a	d	d	d
Southwest Minnesota Intraplate	d	d	d	d	d

Note.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date for attainment.

a. 3 years from plan approval or promulgation.

b. 5 years from plan approval or promulgation.

c. Air quality levels presently below primary standards.

d. Air quality levels presently below secondary standards.

e. Transportation control strategy to be submitted no later than Feb. 15, 1973.